



## Letter of Transmittal

Date: April 8, 2015

To: County of San Luis Obispo Planning Commission

From: Jamie Kirk

RE: Villa San Juliette Winery (April 9, 2015 PC Item #5) – Response to Neighbor Letter- Hinrichs dated 3/26/15

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Honorable Planning Commissioners,

Below is a detailed response to Mr. and Mrs. Hinrichs' letter provided to your Commission at the March 26, 2015 Planning Commission hearing for the amendment to the Use Permit for the Villa San Juliette Winery. The response below is intended to clarify and respond to the concerns stated in their letter. We felt it would be helpful to provide this information to your Commission in advance of the hearing based on the limited time provided for rebuttal testimony. The Hinrichs' comments are provided in the darker text and our response if provided in the lighter text below.

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**Winery expansion from 25K to 80K. .068 acres, right next to easement/access road. We also have a winery and tasting room. Our customers are subjected to the inferior exit from VSJ. We have to look at stacks of pallets, trash that is not picked up, and blows and sticks to the other neighbor's fence. There are 5 water tanks, piles of grape pomace from the past two years that have been sitting and smelling with nothing being done. Expanded operations will mean even more grape pomace, garden & tree clippings, etc., and where will it all go.....**

The Ranchita Canyon Winery (RCW) property has access to their property via an access easement located on the Villa San Juliette (VSJ) property (Document 1996-035926, dated July 18, 1998) and an irrevocable & perpetual offer of dedication to the public (Document 2010-007943). The access easement includes a provision that **allows the RCW property owners to construct and maintain a 16 foot access road**. The easement restricts the road width available to be used by RCW.

VSJ addressed the concerns with the burn pile and trash and cleaned it up in response to Mr. Hinrichs' call prior to the Planning Commission hearing on 3/26/15.

The proposed winery expansion will include more grape pomace which will be handled through a permit to operate through the SLO County Air Pollution Control Board to ensure that odor will not be of nuisance.

**Required setbacks of 100 ft on Eastern side of property and they want to expand from 25K to 80K cases. What happens if the property abutting the Eastern side wants to develop?**

Should an adjacent property owner wish to develop their property, they will be subject to setbacks identified in the County Land Use Ordinance. Required setbacks vary depending on the proposed use.

**Tasting room and event parking to be 200 ft from property line. Does not happen when they have large events. Unfortunately I didn't start logging information until the past year and don't have pictures.**

The 200 foot setback requirement applies to winery structures and outdoor use areas. The setback requirement does not apply to parking areas.

**They were to provide a contact phone number for off hours to neighbors. Does not happen. Cannot get in touch with anyone.**

The existing MUP (DRC2007-00076) does not include a condition / requirement to provide an off hour contact number for the neighbors. Condition 55 of the CUP (DRC2013-00097) includes a condition to provide 24 hour contact info to the neighbors within a 1,000 feet of the VSJ property boundaries.

**Erosion from property onto Cross Canyons at access/easement driveway. They do not maintain. They have never in 7 years or so they have owned the property contacted the County Public Works Department to take care of the "pond" that accumulates when it rains. We have to shovel and contact Department of Public Works. More vehicles on the road equals more work for us.**

A drainage plan (Condition #14) will be required to be evaluated at time of construction permits, for new ground disturbance. Conditions 37-39 address project construction erosion control measures to mitigate any new ground disturbance. Additionally, the driveway will be required (Condition #8) to be in compliance with the County B-1a driveway standards which will ensure proper drainage through an encroachment permit.

**Secondary access road is their exit and has 2 way traffic. Roadway only wide enough for 1 car. The vehicles exiting VSJ believe the roadway is one way.**

Cal Fire reviewed and approved the existing secondary access road prior to final inspection of structures associated with the approved MUP. Cal Fire understood that for the VSJ project, this access road would be used for some production related traffic and secondary access during events. This access was never intended to serve as the main access for the VSJ tasting room. It is unclear if and when Cal Fire reviewed the access road for compliance with primary access requirements for the RCW tasting room.

**Total disregard to amplified music past 5:00 pm. The sheriff has been notified and Code Enforcement has been notified.**

Villa San Juliette has received inquiries from the County Sheriff's Department and Code Enforcement about onsite activities based on the Hinrichs' concerns. All of the complaints have been unsubstantiated. The County recognized that Villa San Juliette has been operating within compliance of their approved Minor Use Permit DRC2007-00076. Only special events with outdoor amplified music is required to end at 5pm. All other activities associated with the personal use of the property by the owners, normal operation of the tasting room and those activities not defined as a special event in the LUO Section 20.30.070d are not subject to this outdoor amplified music restriction, but rather subject to LUO Section 20.10.120.

**Restaurant expansion, modify beyond allowable for ordinance. To get ready for the amphitheatre?**

The application includes a limited food facility to be established within the existing commercial kitchen and tasting area. A physical expansion is not proposed and there is not an existing restaurant entitled and operating. The tasting room does provide a food and wine pairing program as part of their daily operations which is allowed, so long as it is a pre-fixed menu paired with their wine selection. The only change with the proposed limited food facility operation would be that tasting room patrons can order 'made to order' meals without the limitations of the pairing menu and could order food without wine and modify ingredients if desired. The seating area and kitchen that will be used for the limited food facility is existing. A modification to the limited food facility size can be made through a Conditional Use Permit, which is what this application entails.

**Significant negative effect on rural area, roads, environment, water, safety.**

The County has evaluated all environmental impacts and the applicant has supplied all studies requested by the county and has agreed to implement all necessary mitigation measures suggested in the project conditions of approval to ensure less than significant impacts to the environment.

**Evacuation in emergency. It would be a catastrophe.**

**Increased fire hazard, restaurant, and people. They had a burn pile last year that smoked and smelled for days, and we had to continually alert them to the problem. The fire was also left unattended.**

**Response time of emergency vehicles. CDF Meridian is 9 miles not 6 miles. It is a HIGH Fire Area.**

Cal Fire has been to the site and has reviewed the proposed application. Yes, the site is located in a High Fire Severity Area and proposes increased activity; however the majority of the activities will occur in existing buildings that are equipped with fire

suppression systems. As part of the proposed expansions, adequate fire safety measures and water storage will be assessed. Based on the distance from the nearest Cal Fire fire station, Cal Fire is requiring additional fire safety measures during events such as a designated fire watch and EMT for larger events. All events are only to take place within permitted and inspected structures on the property and notification of events must be made 30 days prior to Cal Fire. This notification allows Cal Fire to verify fire and life safety conditions are met prior to the events.

**No other venue in area has music outdoors.**

**There is another winery 1.5 miles away that has special events indoors. We cannot open our windows during the events. At 9:40 our house vibrates and we hear the music as they play the finale for 20 minutes. All doors and windows in my house are closed. This includes summer. VSJ is only ¾ mile away.**

A Minor Use Permit was issued in 2010 for Temporary Events located at 6735 Von Dollen Rd., San Miguel, CA (which is less than 1.5 miles from Villa San Juliette). The approved event program includes 20 annual events with no more than 150 attendees, which also includes outdoor events with amplified music. Events at this location must end by 10:00 pm. Silver Horse winery which is located south of the property also has an event program approved as part of their use permits.

**Zinfest weekend, music 1-4 pm. Saturday, we had to turn on our music at our winery to drown out theirs.**

Zinfest weekend is a recognized winery industry event and not a special event. It is not subject to the outdoor amplified music limitations to commence at 5pm (per definition of the winery ordinance Section 22.30.070). Noise levels for wine industry events are subject to standards set forth in County LUO Section 22.10.120.

**Now have 95 decibels allowance versus 65? Page 19 of Project Papers.**

The 95 decibel restriction is to place a cap on the noise source at the source. If the noise source stays below a 95 decibel output, 50 feet from the noise source, then this will ensure that noise levels will not exceed 65 decibel levels at the property boundaries. The project has been conditioned (Condition #19) to place a limitation on the noise sources. This can be accomplished by a noise monitoring mechanism.

**Roads - 4 accidents in past year, within 1 mile of venue and 2 deaths in past 5 years. These are the accidents that we are aware of.**

A Road Safety Analysis was required for this project to evaluate safety along the 1 mile stretch from Villa San Juliette Winery. As part of this study, collision history was obtained from the California Highway Patrol. From January 2010 to June 30, 2014 there have been four reported incidents. Three of which were non-injuries and one with a



minor injury (bruise to hand). No deaths have been reported as results of traffic collisions in this immediate area per CHP data.

**Unsafe conditions on road. Slow speed. The speed limit is 55 mph, drunk, curvy, out of town drivers. Many people take Cross Canyons Road, Ranchita Canyon Rd. and Airport Rd. No street lights, no reflectors, no lines in middle of road.**

A Road Safety Analysis was prepared which analyzed road safety conditions from the Villa San Juliette property along a one mile stretch on Cross Canyons Rd towards the Airport. The distance is determined by the Road Safety Analysis criteria set forth by BOS Resolution 2008-152, which provides requirements for evaluating projects which generate public traffic.

**B and B. People coming and going. No one lives at the property.**

A traffic report was prepared and analyzed a very conservative scenario that the B&B could generate 28 daily trips (includes guests and employees) as opposed to a potential 13 for the existing single family residence operation. This scenario assumes that guests would be leaving for meals; however Villa San Juliette's program has an existing commercial kitchen which can service and prepare meals onsite. Guests will be provided with 24 hour contact information in case of emergency or if questions arise during their stay.

**Everything is screened from Cross Canyons Rd. What about Ranchita Canyon Rd.**

The County Land Use Ordinance, Section 22.30.070, requires winery structures and parking areas to be screened from views from surrounding public roads. This requirement is the same for Cross Canyons Rd and Ranchita Canyon Rd. Existing topography and landscape help screen these areas. Additionally the expansion will essentially involve the condensing of the existing winery use areas into one larger structure.

**Shuttle service mandatory at other wineries. Why wouldn't it be at VSJ?**

The San Miguel Advisory Committee suggested providing shuttle service for special events in order to reduce traffic. The applicant is willing to incorporate this suggestion for providing a form of private transportation options into their rental agreement for special events.

Traffic Management Plans, which include encouraging the use of shuttle transportation during events, have been incorporated in to conditions of approval for other winery and temporary event projects. As an example in 2012 the County approved a temporary event permit for a property on Creston Road. The Use Permit approved the following Event Program:

- a. Up to 25 Temporary Events annually, with 1 event with up to 1,000 attendees, 1 event with up to 700 attendees; 5 events with up to 500 attendees; 8 events with up to 350 attendees; and 10 events with up to 250 attendees.
- b. Temporary Events shall start no sooner than 10 a.m. and end by 10 p.m. each day. Facility set up and clean up shall be allowed between the hours of 8 a.m. to 11 p.m. All guests of an Event shall be off the property by 10:30 p.m.;
- c. Temporary Events shall last no more than one day each;

The condition below was included in the project approval. Your Commission may consider recommending the inclusion of a similar condition with VSJ's conditions of approval

- 17. **AQ-2 Prior to holding any special events for more than 350 vehicles**, the applicant shall submit a traffic control/parking management plan (that will promote alternative transportation modes to help reduce ozone precursors) for review and approval by the Department of Planning and Building in consultation with the Public Works Department. This plan shall include incorporate options for carpooling and shuttling into the plan.

#### **Significant water usage.**

Proposed project water usage was evaluated with the project application as its location is subject to the Paso Robles Urgency Ordinance as well as the 2:1 off-set requirements that currently exist in the Area Plan Standards for discretionary projects. Water use associated with all uses under consideration totals .56 acre feet a year. The additional water use will be off-set onsite at a 2:1 ratio therefore water use onsite will actually be reduced with implementation of the proposed project.

#### **Land Use – inconsistent with surrounding land use.**

Wineries are an allowed use in the Agriculture land use category and are subject to a Minor Use Permit. Limited Food Facilities and Bed and Breakfast Inns (up to 8 rooms) are specifically allowed in the Agriculture land use category, accessory to an existing conforming visitor serving use, subject to a Conditional Use Permit. This application involves a Conditional Use Permit which encompasses all proposed land use requests. This request is not inconsistent with the surrounding land use, as the surrounding land use is Agriculture which allows all of the proposed uses. Further Ag Policy 6 encourages the proposed uses on lands within the Agricultural land use category.

**Environmental impact will cause substantial adverse effects on human beings directly and indirectly. Pg 33 I would call this a comedy of errors but this is my life, income and home; all in jeopardy if this project is approved. The present operation has already caused many negative impacts we have noted, and will be compounded if growth is permitted.**

No comment, this is a subjective statement. The County has evaluated all environmental impacts and the applicant has supplied all studies requested by the county and has agreed to implement all necessary mitigation measures suggested in the project conditions of approval to ensure less than significant impacts on the environment.

**The original minor use was a 2 bedroom “house.” It now will be a B and B. Now it is amplified music, next it will be the amphitheatre. Ask anyone in the tasting or customers who have visited. That is the plan.**

The two existing single family residences were never subject to a Minor Use Permit. The residences were properly permitted through the construction permit process. The B&B will only influence the lower levels of both residences and will include tenant improvements to convert a portion of the living rooms in both units, to add another bedroom and bathroom in each unit. (result= 6 B&B bedrooms on the lower level). The remainder of the single family residences on the upper level will remain unchanged.

The ordinance allows outdoor amplified music associated with special events until 5pm. If an applicant would like to host outdoor amplified music beyond 5pm a modification request can be made and supported so long as it can be demonstrated that decibel levels will not exceed 65db at all property lines. Villa San Juliette had a qualified acoustical engineer prepare a study to prove that outdoor amplified music will not exceed County decibel standards and it proved to be well under the threshold at all property lines. In addition to this, the engineer suggested several operational mitigation measures to ensure that the decibel levels will be in conformance with the LUO standards and these are all incorporated as conditions of approval.

**Page 34 5 Gate minimum of 75ft from traveled way of any road open to public traffic. The gates on the easement/access road are 44 ft and 33 ft from the road.**

The County Public Works Department conditions winery projects to have one gate setback 75’ from the public road. This setback ensures that deliveries of trucks with off-site grapes and day to day deliveries can safely pull off the public road while the gate opens. Not all gates are conditioned as such, only one. Villa San Juliette’s main entrance has a gate setback located 75’ from Cross Canyons Road which already meets this requirement. This was a condition of the original Minor Use Permit DRC2007-00076 and was signed off with the winery building permits. The other access gate referred to in the Hinrichs’ letter meets Cal Fire standards, which is 30’ from the public road.

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#### **RCW Use of Easement for Winery / Tasting Room**

Based on the comments received from the Hinrichs, my office conducted additional research related to the access road that provides access to the Hinrichs’ property and the RCW winery and tasting room to ensure VSJ had the legal right to utilize the access road for their project. Our research concluded that the Hinrichs have an easement over the VSJ property. The Hinrichs have the right to construct and maintain a 16 foot wide road over the VSJ property. The easement does not specifically preclude or allow commercial / public use of this private easement. In order to address this potential conflict when the Hinrichs’ MUP for their winery and tasting room was approved in

2007, a condition was included in the MUP to require a recorded offer of dedication for the existing private easement. The offer of dedication was intended to acknowledge the easement could be used for public traffic serving the tasting room, since the easement as written is a private easement. An irrevocable and perpetual offer of dedication to the public was recorded (Doc#2010007943) and is attached for reference along with the original easement documentation. To date the County has not accepted the offer of dedication.

**Access**

20. **Prior to issuance of construction permits or the re-establishment of the use,** the applicant shall submit proof of an access easement from the site to Cross Canyon Road.

21. **Prior to issuance of construction permits or the re-establishment of the use,** the applicant shall submit proof of a recorded "offer of dedication" for the access easement from the site to Cross Canyon Road.

Use of the easement road for the VSJ project is permitted since the easement is a non-exclusive easement and VSJ owns the fee title to the property under the easement. The easement provides specific provisions for added maintenance responsibility for VSJ if the use of the road by VSJ is increased beyond that which it was historically used.

Further, VSJ provided this offer of dedication to RCW so that RCW could utilize the access road on VSJ's property, for purposes of the public tasting room. Villa San Juliette willingly granted this offer based on RCW's winery MUP entitlement, which limited their tasting room operation to Friday-Monday (two weekdays and the weekend). According to the RCW website, they operate their tasting room beyond their entitlement limitations, from Thursday –Monday (three weekdays and the weekend) with options for appointments on the remaining days of the week.

With the exception of harvest, VSJ utilizes this access road for production during the weekdays and not on the weekends. Any conflicts between RCW tasting room traffic and VSJ's winery operation traffic should be minimal as there are only two cross over days, Monday and Friday. As stated above RCW tasting room is also open to the public on Thursdays and tasting is available Monday – Wednesday by appointment only. A solution to minimizing the conflicts between VSJ production related traffic and RCW visitor traffic would be for RCW to limit their tasting room hours of operation to the hours outlined in their Minor Use Permit.

Lastly, several of the photos provided in the Hinrichs's letter referenced burn piles, excess irrigation tubing, and piles of vineyard stake. These materials / uses are associated with the ongoing crop production on the site and not the day to day winery operations. The majority of the photos provided in the letter are part of the normal on-site ag operation and are operated in compliance with County and Cal Fire codes.

I thank you for your time in reviewing our responses to the Hinrichs' concerns. I will be available to address any additional questions the Commission may have at the hearing.

Regards,

Jamie Kirk  
Kirk Consulting  
[jamie@kirk-consulting.net](mailto:jamie@kirk-consulting.net)  
Phone: 805-461-5765 ext 11  
Fax: 805-462-9466

Enclosures:

- Bill and Teresa Hinrichs letter- 3-26-15
- Villa San Juliette Original MUP DRC2007-00076-Notice of Final Action
- Ranchita Canyon winery MUP DRC2006-00156- Notice of Final Action
- Access Easement Document 1996-035926
- Access Easement Exhibit-Referencing property owners at time of Doc 1996-035926
- Offer of Dedication (access easement to the public) Document 2010-007943

PLANNING COMMISSION

AGENDA ITEM: 7  
DATE: 3/26/15

DO NOT REMOVE FROM FILE

March 25, 2015

County of San Luis Obispo  
Planning and Building Department  
976 Osos Street/Room 300  
San Luis Obispo, CA 93408

Dear Megan,

Attached is additional information, and photos regarding Villa San Juliette, Conditional Use Permit: DRC2013-00097. Three minutes at the hearing is not enough time to express our concerns. The concerns are not a surprise and have been ongoing for many years.

Enclosed is our original letter regarding the expansion dated January 13, 2014. Thirty nine (39) pictures, a list from the past year with a few special events and music. Pages from VSJ website regarding event facility.

Thank you,



Bill and Teresa Hinrichs

Winery expansion from 25K to 80K. .068 acres, right next to easement/access road. We also have a winery and tasting room. Our customers are subjected to the inferior exit from VSJ. We have to look at stacks of pallets, trash that is not picked up, and blows and sticks to the other neighbor's fence. There are 5 water tanks, piles of grape pomace from the past two years that have been sitting and smelling with nothing being done. Expanded operations will mean even more grape pomace, garden & tree clippings, etc., and where will it all go.....

Required setbacks of 100 ft on Eastern side of property and they want to expand from 25K to 80K cases. What happens if the property abutting the Eastern side wants to develop?

Tasting room and event parking to be 200 ft from property line. Does not happen when they have large events. Unfortunately I didn't start logging information until the past year and don't have pictures.

On-going conditions of approval (valid for the life of the project)

34. Noise: No outside amplified music sound shall occur before 10 am or after 5 pm.

35. Outdoor Storage – Long term outdoor storage shall be screened by solid fencing or landscaping, unless storage area is not visible from public road or adjacent property.

They were to provide a contact phone number for off hours to neighbors. Does not happen. Cannot get in touch with anyone.

Erosion from property onto Cross Canyons at access/easement driveway. They do not maintain. They have never in 7 years or so they have owned the property contacted the County Public Works Department to take care of the "pond" that accumulates when it rains. We have to shovel and contact Department of Public Works. More vehicles on the road equals more work for us.

Secondary access road is their exit and has 2 way traffic. Roadway only wide enough for 1 car. The vehicles exiting VSJ believe the roadway is one way.

Total disregard to amplified music past 5:00 pm. The sheriff has been notified and Code Enforcement has been notified.

Restaurant expansion, modify beyond allowable for ordinance. To get ready for the amphitheatre?

Significant negative effect on rural area, roads, environment, water, safety.

Farming bed at sunset, rise at sunrise. Lack of sleep causes accidents on the farm. Zoned agriculture.

Evacuation in emergency. It would be a catastrophe.

Increased fire hazard, restaurant, and people. They had a burn pile last year that smoked and smelled for days, and we had to continually alert them to the problem. The fire was also left unattended.

Response time of emergency vehicles. CDF Meridian is 9 miles not 6 miles. It is a HIGH Fire Area.

No other venue in area has music outdoors.

There is another winery 1.5 miles away that has special events indoors. We cannot open our windows during the events. At 9:40 our house vibrates and we hear the music as they play the finale for 20 minutes. All doors and windows in my house are closed. This includes summer. VSJ is only ¾ mile away.

Zinfest weekend, music 1-4 pm. Saturday, we had to turn on our music at our winery to drown out theirs.

I have a business too, my customers come to relax and enjoy the quiet beautiful view. My business will suffer.

Now have 95 decibels allowance versus 65? Page 19 of Project Papers.

Telephone number from responsible person. Supposed to have had with first minor use permit, never followed through with it.

Police Protection – minimum of 20 minutes to arrive.

Roads - 4 accidents in past year, within 1 mile of venue and 2 deaths in past 5 years. These are the accidents that we are aware of.

Unsafe conditions on road. Slow speed. The speed limit is 55 mph, drunk, curvy, out of town drivers. Many people take Cross Canyons Road, Ranchita Canyon Rd. and Airport Rd. No street lights, no reflectors, no lines in middle of road.

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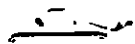


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Having a permit and operating a business in SLO County is a privilege and honor. To have Corporations with money that are given special permits above and beyond the county standard, in the mean time destroying other livelihoods is sad. It has been proven again and again the minor use permit allowances were not being followed. Now the reward is to give them more. In addition to the reward of doing anything they want, what happens to all the incorrect information in the project report?



**Ranchita Canyon Vineyard**  
William R. Jr. & Teresa M. Hinrichs  
3439 Ranchita Canyon Road – San Miguel, CA 93451  
Phone (805) 467-9448 – Fax (805) 467-2928

January 13, 2014

San Luis Obispo County Planning & Building Department  
976 Osos Street - Room 200  
San Luis Obispo, CA 93408  
Holly Phipps

Dear Holly,

**Re: Villa San Juliette Winery Addition – Use Permit Application**

We have lived on our property since 1999, and received information regarding the subject application. We are opposed to this Villa San Juliette expansion for the following reasons:

The proposal appears to be for a larger commercial operation in a rural agricultural area, which creates safety, noise, congestion, unpleasant odors, visual impact, etc. problems and issues.

Country roads in this area are not designed for large scale commercial operations, which present safety, noise, congestion, etc. issues, both during construction and then increased traffic when completed and operating. An operation this size will require many large trucks, buses, semi- trailers, autos, vans, etc. on the roads and driveway for everyday business and events. Roads are relatively narrow and winding, with no center or shoulder lines, no lighting, etc.

The Bed & Breakfast being planned is really an Inn or hotel (B&B definition says that usually the owners themselves prepare breakfast and clean the room etc., and a property which hires professional management is usually no longer considered a bed and breakfast, but enters the category of Inn or hotel.) The owners originally claimed their plan was to live on the property (which is typical for the area), and now their living areas are to be converted to hotel rooms. This presents a problem because absentee owners do not have to live with the negative impacts of their large commercial operation, i.e., noise, traffic, odors, congestion, safety, environmental and visual impacts, etc.

The expanded kitchen with hotel guests, events, larger winery, etc., could easily be classified and used as a restaurant, again depicting a more commercial operation. Proposed events with up to 50 guests are planned almost weekly, again looking more like a commercial operation. Villa San Juliette winery is already beyond the typical family agricultural operation for the area, and is planned to more than double. Increased size is again more commercial, and all these items compound all the above mentioned negative factors.



We also see negative impacts to our property value, business, quality of life, etc.

There is a great deal of value in our property because of the views, quiet, serenity, etc., and this will be even more negatively impacted with further expansion. The initial build and subsequent expansion has already negatively impacted our property value and quality of life.

Views from our property and tasting room have been negatively impacted with present winery buildings, wastewater pond/system, refuse, etc. When a Villa San Juliette owner visited our tasting room a couple years ago, he commented on their buildings negative impact on our views, and said the landscaper would be planting trees to shield the buildings. Prior to their expansion last year, the VSI president and winemaker visited and again mentioned planting trees when they saw the negative impact on our views. What happened was further expansion with a "tank farm" and wastewater treatment pond/system, which again negatively impacted our views. We foresee more negative impacts with proposed plans, which include converting a corral/garden area to a parking lot, which is in direct view and even closer to our tasting room.

Sound travels very far in our open agricultural environment. The present operation has already had a negative impact with increased traffic; trucks; music, etc. daily and during events; ATVs for pleasure; ATVs and tractors for dumping, etc. on the vineyard road next to our property line (about 250' from our winery/tasting room); unpleasant odors; etc. which will become much worse with planned expansion. Music from their latest late night event could be heard at our house – almost one mile away – and was so loud our son could make out the lyrics to songs when he was trying to sleep at 10:30pm.

There is already a great deal of noise and dust from the traffic on the vineyard road next to our property line due to recreational ATV traffic, hauling refuse, etc., for dumping (next to the property line), etc. The road is close to our tasting room and outdoor deck used by our winery guests, creating an unpleasant experience for our customers. Plus, the dust can create problems in our vineyard due to dust mites. These visual, noise and dust issues again would be worse with planned expansion.

We have been exposed to unpleasant odors due to their pond/wastewater treatment system, (which they installed very close to our property line – far from their facilities) and piles of refuse, winery waste, etc. These odors would be compounded with further expansion.

Proposed plans would create more safety problems on our easement driveway (see map.) Villa San Juliette has two exit/entrances to our two way traffic driveway. Their tasting room customers think our driveway is one way, because they enter via a different driveway and their exit is down our driveway. This creates safety issues when they enter our driveway. Expansion would mean even more truck, bus, semi-trailer, auto, etc. traffic on the driveway during the construction phase, and then for daily business and events. This will create more safety and other issues as all different size vehicles pull out to enter our two way traffic driveway.

Thank you for considering our concerns about the proposed expansion. Please contact us with any comments or questions.

Sincerely,

William and Teresa Hinrichs



"pond" already cleaned up but  
wanted a picture to give the idea.





"pond" goes entire width of  
driveway



easement/access Rd.





easement/access Rd.



easement/access Rd.





2nd driveway into VSJ  
on easement/access Rd.  
it works!



1st driveway out of VSJ  
onto easement/access Rd.

It doesn't work.  
Not wide enough for 2  
vehicles. People think  
it is coming from VSJ.  
They believe one way rd.

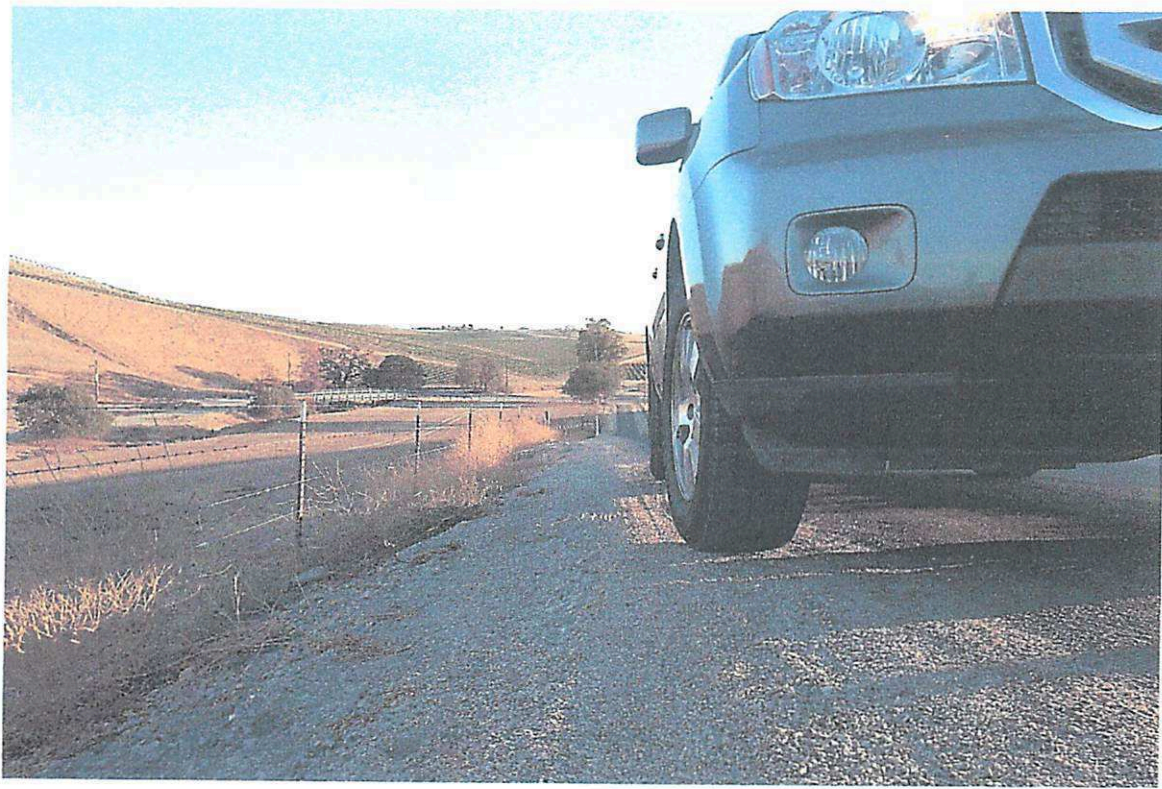




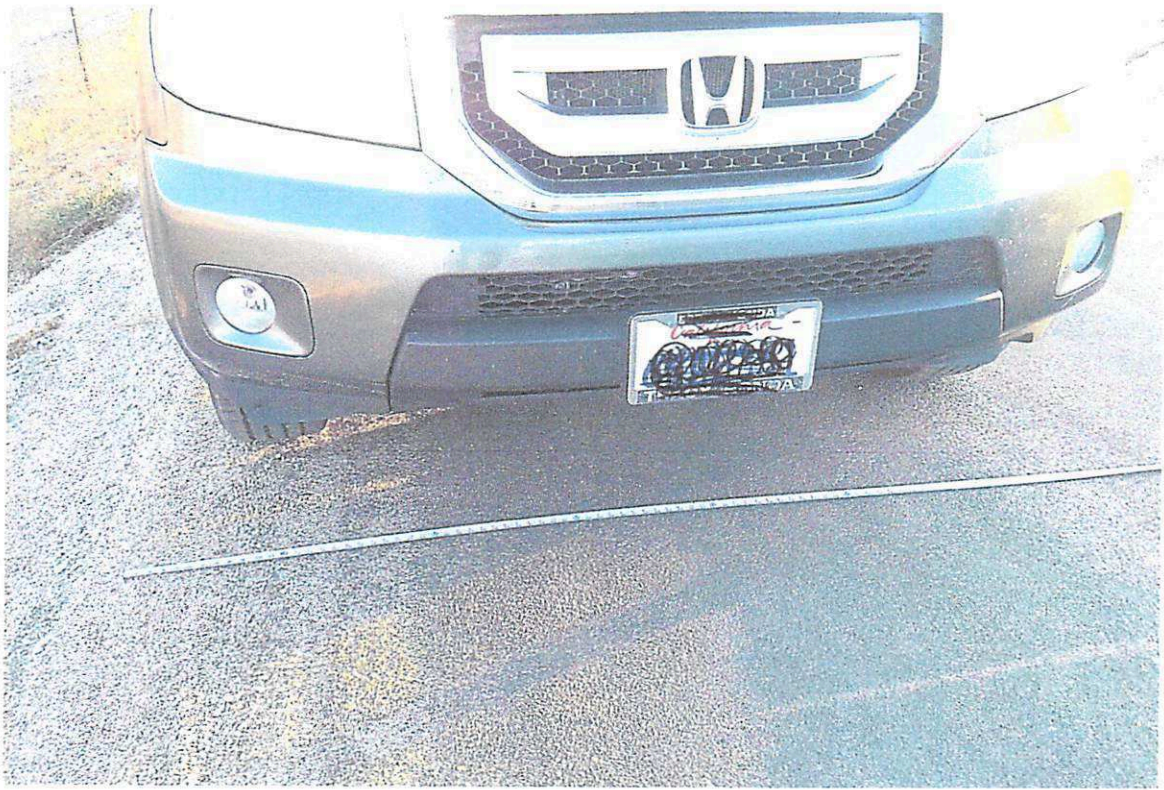
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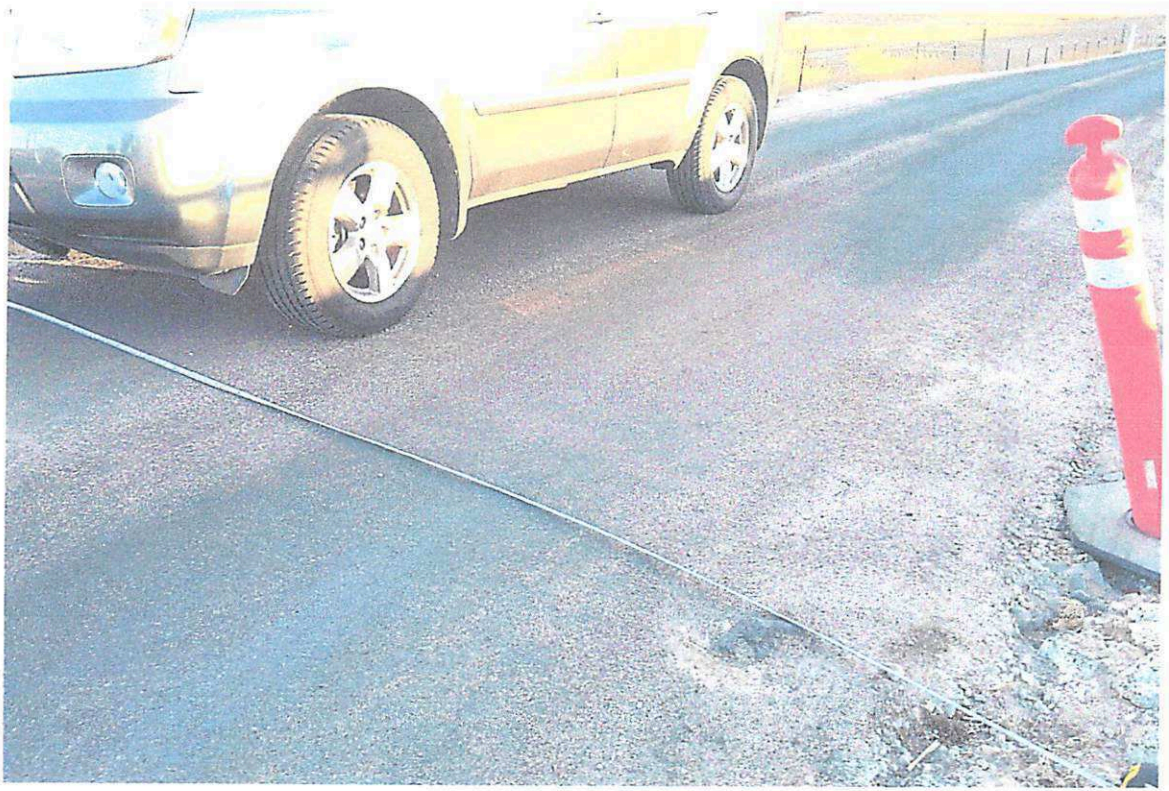




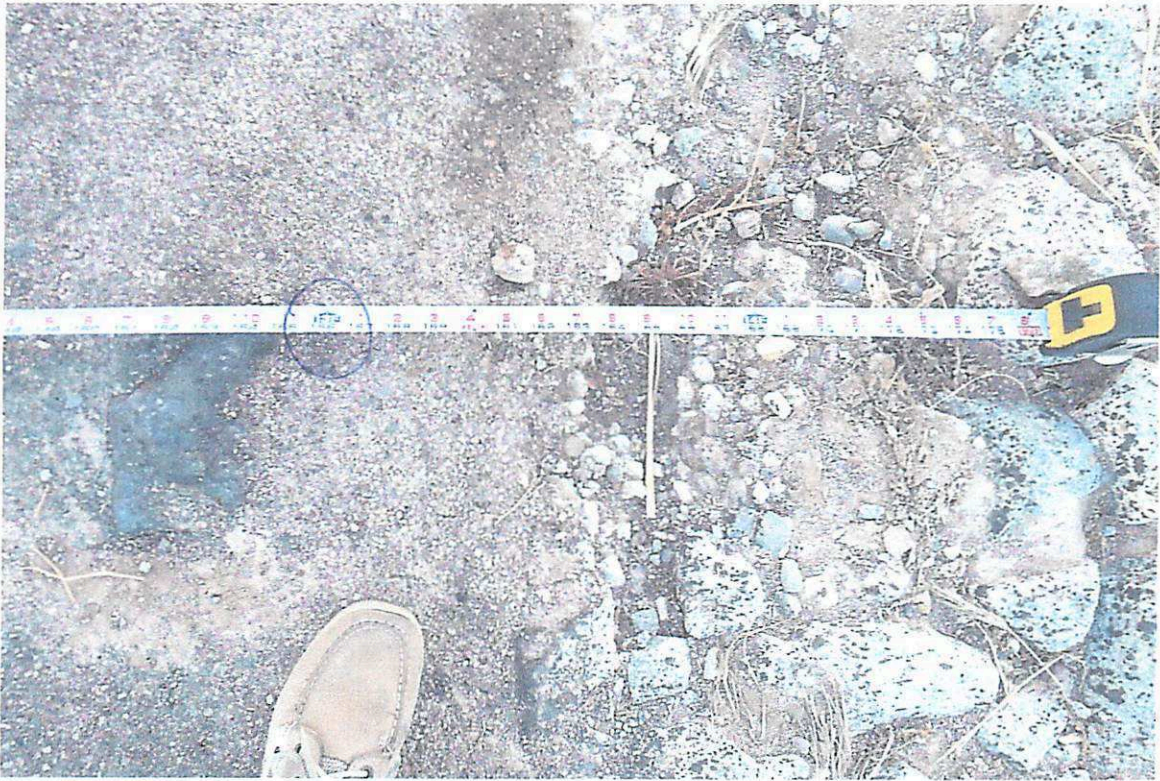
as far over as a car can go.







13 Ft







turn coming out of VST  
1st driveway





11 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196











our property  
line

VSJ Burn pile



V S J piles





metal stakes





Burn pile



Burn pile





Burn pile



Burn pile

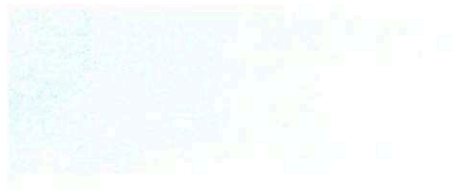


Burn pile





Burn pile



Our view



Coming up the access/easement  
Rd. Storage





Storage access/easement



access/easement Rd.



grape police  
access/easement rd.





grape/pomice  
access/lease ment Rd.



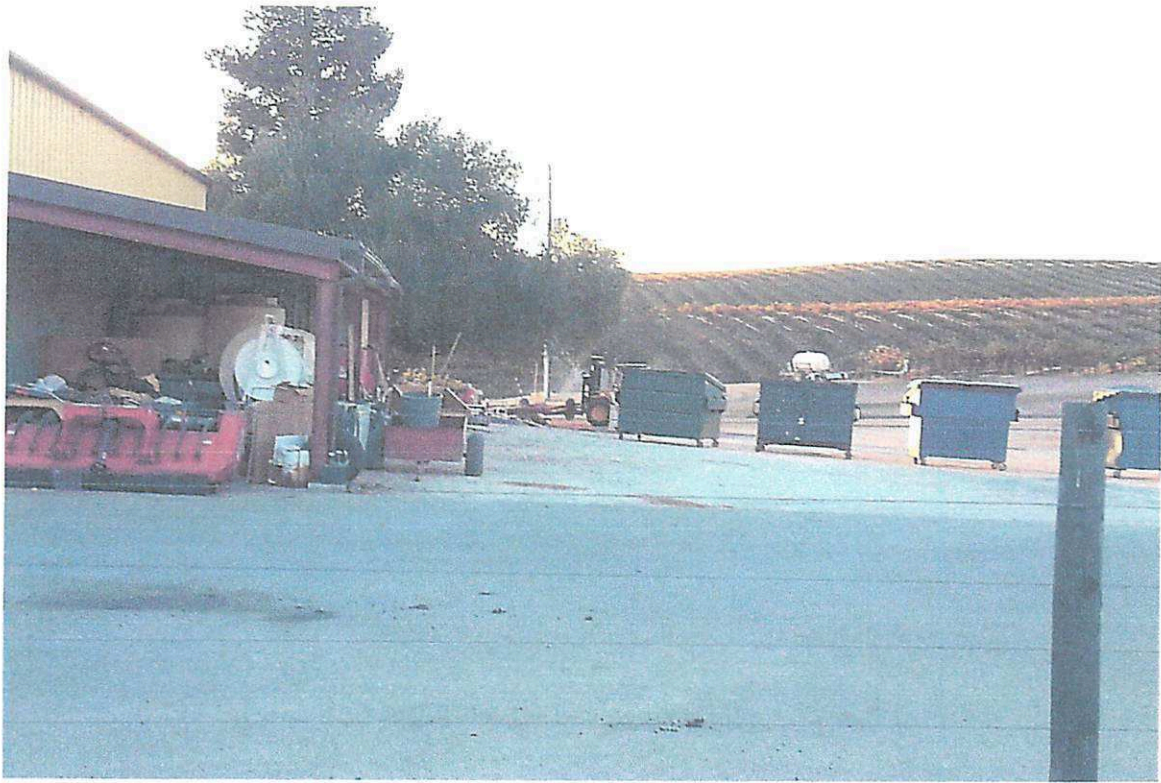
access/easement RQ.

Storage: 1 water tank  
(the other)  
4 are  
lined up





Leaks from winery



access/easement Rd.





access/easement Rd.



access/easement Rd.



### **Villa San Juliette Music**

All of these events have been outdoors with amplified music.

12/10/2013 Wedding. Music, extremely loud. Sheriff called, music stopped at 11:00 p.m.

03/28/2014 Special Event music until about 7:00 p.m.

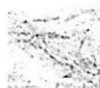
05/16/2014 Special Event music until about 9:00 p.m.

06/21/2014 Special Event music until about 8:00 p.m.

09/12/2014 Special Event music until about 8:00 p.m.

09/27/2014 Special Event music until about 10:00 p.m.

10/30/2014 Employee or employee family member music stopped at 12:15 a.m. Sheriff called twice.



INSIGHTS SUMMARY

See All

0 New Likes  
 6 Talking About This  
 106 Weekly Total Reach  
 1 New Check-ins

Insights are visible to Page admins only.

album

7.

out our  
 ideas, tag  
 e you all at

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Facebook © 2014



Villa San Juliette Winery  
 20 hrs ·

At Villa San Juliette Winery.

Like · Comment · Share



September Garden Party  
 in Santa Maria, CA San, Calif

Foster Parents are the glue that holds us together. Have you ever  
 wondered what it takes to be a Foster Parent with us? Join us tomorrow at  
 the EDD Workforce Resource Center in Santa Maria from 3:00-5:00PM to  
 get all your questions answered. This is a unique opportunity to hear from  
 our foster/resource parents! We hope to see you there!

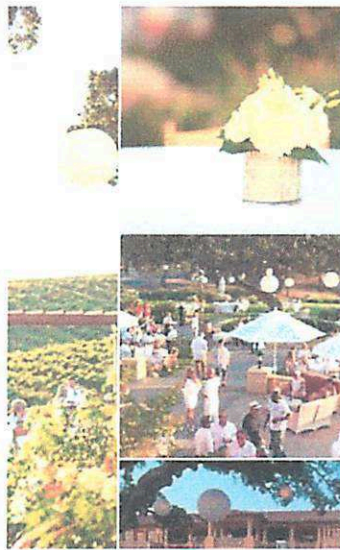
impact  
the life of  
a child...

Family Care Network, Inc.  
**Be the Difference**  
 Opportunity Orientation  
 Foster Parent • Adopt • Respite • Medical • Volunteer  
**September 16, 2014**  
 3:00PM - 5:00PM

EDD Workforce Resource Center  
 1410 S. Broadway, Suite E  
 Santa Maria, CA 93454  
 \*Refreshments will be served

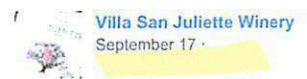


Sept 12<sup>th</sup> 2014



- Recent
- 2014
- 2013
- 2012
- Founded

w/c p/u Garden party 9/12



At Villa San Juliette Winery.

Like · Comment · Share

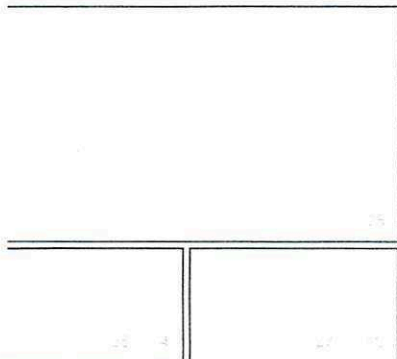


past  
5:00 p.m.  
Sunset



September Garden Party 21 of 134

EOS



STS TO PAGE



Like · Comment · Share

1 Share

Vicky Fu, Elissa Faith, Visit Pismo Beach and 33 others like this.

Top Comments






ISTS TO PAGE

 **Raul Torres**  
Yesterday at 6:50am


Thanks for the great party last nite!

Like · Comment

 **Pure Wedding Photo**  
September 12 at 9:20pm

A quick sneak peek as we prepare all of the photos from this evening. It all turned out beautifully!


Like · Comment

 **Jim Marx**  
July 19 at 2:08pm

Last night's sunset at Villa San Juliette Winery. Jim Marx Photo.

Like · Comment 18 4

EVIEWS

 **Eva Valentin**  
★★★★★ 11/17/2013  
Nice, peaceful, great service, good pizza.

Like · Comment 3

 **Jared Pickens**  
★★★★★ 08/10/2014  
Been here several times, the staff is always polite and the tasting room/ grounds are phenomenal! Always a fun winery to visit.

Like · Comment 1 1

 **Carly Wilken**  
★★★★★ 06/19/2014  
One of the most gorgeous wineries in Paso. Great wine. So excited to be a wine club member. They have such fun bands play and great pick up parties!!

Like · Comment 1

help people find great places.

[Write Review](#)

IKED BY THIS PAGE



Like · 0

80



Vi

Turn on chat to see who's available.



Check and o



1 Share

Top Comments

ady have plans. I would like to get out

1

iz Allen?

1

ink via Paso Robles CAB Collective.

r very own Winemaker, Matt Ortman, active winemakers!

harvest has been as promising as it has a few of our members' thoughts regarding ciously replied between frenzied tasks on

Search

Like · Comment · Share

1 Share

7 people like this.



 **Villa San Juliette Winery**  
September 8

The Zin is in! Picking crews were out harvesting our Zinfandel block before the sun came up this morning and now our production team is hard at work getting it into the tank. While you'll have to wait for this year's awesome vintage we are currently pouring our award winning 2011 Zinfandel in the tasting room. Come by and ask our incredible tasting room staff for a sip.



2012  
Founded

Sponsored

Going to San Diego?  
sv.hotels.com  
Stay at the Ramada San  
Diego North Hotel and  
Conference Center in San  
Diego for as low ...

*Sat & Sun Plu  
parties too  
all outside*



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6385 Cross Canyons Road, San Miguel, CA 93451  
805.467.0014 • Open Daily 11am-5pm • [Contact Us](#)

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[SUBMIT](#)



## SUNDAY MUSIC SERIES

Posted on April 24, 2014 by Parker Sanpei in [Upcoming Events](#).



The vines are green and the weather is warm, which can only mean one thing: the Sunday Music Series is back each Sunday at VSJ!

### Sunday Music Series

Wines: Every Sunday, 1-4 PM

Where: VSJ patio

What: Live bands, VSJ wines and food

Cost: Admission is free, small plates and wine available for purchase

*every  
Sunday  
27 music  
events on  
Sundays 2014*

### PERFORMERS:

April 27: Tres Mojitos  
May 4: Wine Country Troubadors  
May 11: Ricky Montijo  
May 18: The Money Band  
May 25: Tres Mojitos  
June 1: Nataly Lola  
June 8: Daniel Palmer  
June 15: Michael Barry Band  
June 22: Tres Mojitos  
June 29: Wine Country Troubadors  
July 6: Glory Salinas  
July 13: Nataly Lola  
July 20: Blackbird Blue  
July 27: Wine Country Troubadors  
August 3: Rewined  
August 10: Daniel Palmer  
August 17: Tres Mojitos  
August 24: Nataly Lola  
August 31: Glory Salinas  
September 7: Daniel Palmer  
September 14: Compline  
September 21: Tres Mojitos  
September 28: Dawn Lambeth  
October 5: Daniel Palmer  
October 12: Ben Montgomery  
October 19: Martin Paris Trio  
October 26: Glory Salinas





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## "VSJ UNSCRIPTED" MARCH PICK-UP PARTY

Posted on February 21, 2015 by vsj in Upcoming Events



Friday, March 6th from 12-4 PM Villa San-Juliette Wine Club Members and their guests are invited to experience a behind-the-scenes look at VSJ with our winemaking team!

Winemaker Matt Cannon along with his team of wine experts will be there to answer your questions and provide barrel samples! Come ready to enjoy live music, appetizers from the Poling Knife food truck and choose 2 wine offerings. Each guest of honor will have a complimentary glass of wine offered if you are not a member of the VSJ Wine Club join [now](#) if you are! [Register at the link](#)

The Pick-up Party is free for club members and \$10/pp for guests. To RSVP click [here](#) or call the tasting room at 805.467.0014. Please, no early arrival.

Facebook

Tweet

Google +

Email



### FROM THE BLOG

- [Zinfandel Weekend at VSJ](#)
- [Networking on a beautiful evening at VSJ](#)
- [Harvest Wine Weekend](#)
- [White wines and chocolate in the garden](#)
- [Would you like some cheese with your wine?](#)

### UPCOMING EVENTS

- ["VSJ Unscripted" March Pick-up Party](#)
- [Zinfandel Weekend at VSJ](#)

### JOIN THE CLUB VSJ BROUGHT TO YOUR DOOR.



View Options

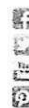
- Discount on select wine purchases
- Early invitation to events, opening the public
- Exclusive wine club bag, specialty glasses, food and more
- Complimentary wine tasting

MY ACCOUNT CONTACT ©2014 VILLA SANJULIETTE




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## PRIVATE EVENTS

Villa San-Juliette's facility is designed to entertain. With our 4 acres of meticulously manicured gardens and beautifully appointed interior, VSJ is a beautiful setting for your events.

Use our [online inquiry form](#), email [roxan@villasanjuliette.com](mailto:roxan@villasanjuliette.com), or call Roxan at (805) 467-0014 x135 to get started on planning your private event at Villa San-Juliette.

## WEDDINGS & RECEPTIONS

Villa San-Juliette currently hosts weddings and receptions for up to 500 people. We have two outdoor venues for brides and grooms to say "I do" for weddings and receptions that won't benefit from our beautiful late spring, summer, and early fall weather, our barrel room or enclosed patio offer intimate and cozy surroundings. For more wedding details click [here](#).

## BIRTHDAY PARTIES

Why bother with a birthday party at home when you can celebrate at a winery? Let us host that surprise party or your big 40th... or 50th... or 60th... or any of your big birthday celebrations.

Please contact us or use our [online inquiry form](#) to learn about the many ways we can be host to your private event.



## FROM THE BLOG

- » [Reflecting on a beautiful evening at VSJ](#)
- » [Innocent Wine Weekend](#)
- » [White Bread and croquet in the garden!](#)
- » [Would you like some cheese with your wine?](#)
- » [A First Glimpse at Matt Ottman's Wines](#)

## UPCOMING EVENTS

- » [Paso Robles Wine Country "Go Local Month!"](#)
- » [Estate Du Vin](#)

## JOIN THE CLUB VSJ BROUGHT TO YOUR DOOR.


[View Options](#)

- » Discounts on select wine purchases
- » Early invitation to events open to the public
- » Exclusive wine club pickup party, dinners, tours, and seminars
- » Complimentary wine tasting

[MY ACCOUNT](#) [CONTACT](#) ©2014 VILLA SAN-JULIETTE

## Wedding Event Information 2015



Villa San-Juliette Vineyard and Winery is located at 6385 Cross Canyons Rd, San Miguel, eight miles north of downtown Paso Robles on California's Central Coast, in the heart of Paso Robles Wine Country. Our property was designed to entertain and enjoy. We offer the best in-class service to our guests and are committed to serving you.

### *Our Event Facilities*

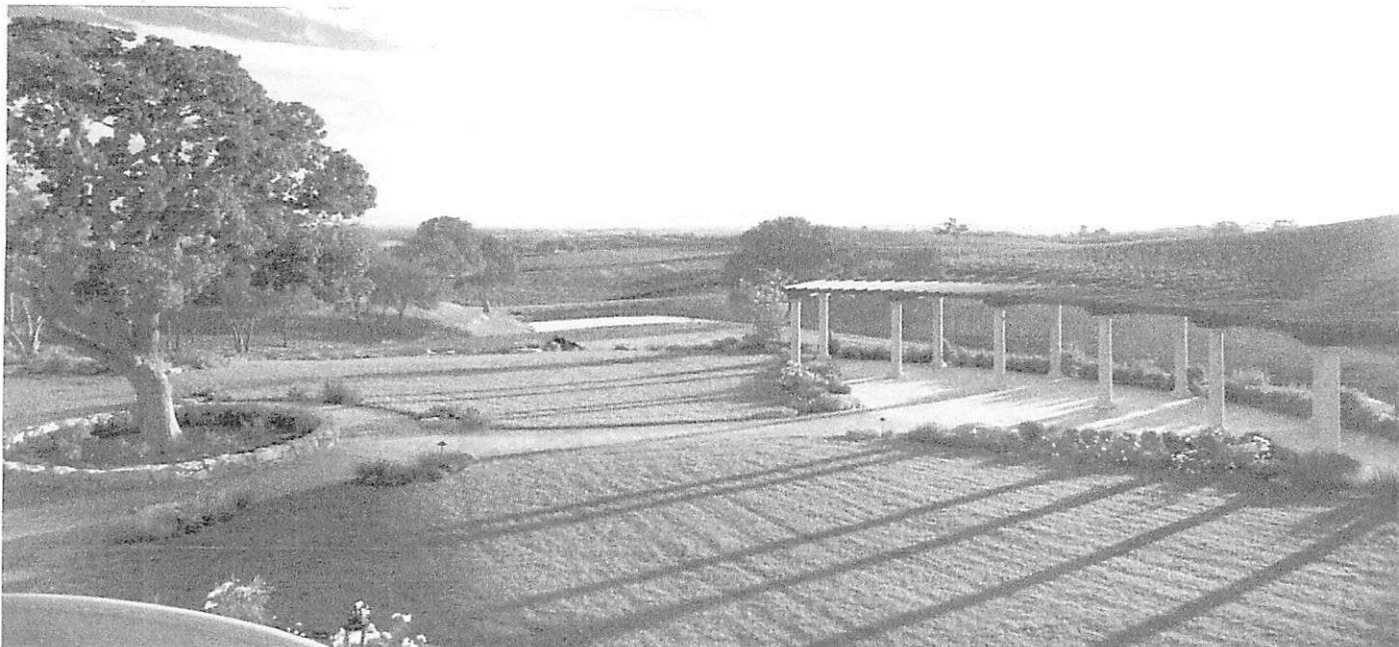
With a 168-acre playground, Villa San-Juliette has a lot to offer. Our 4 acres of meticulously manicured gardens and beautifully appointed interior offer a beautiful setting.

Villa San-Juliette's 14,000-square-foot Tuscan-style estate and Tasting Room exhibits the pinnacle of European luxury and elegance. Our air conditioned, full-service **Tasting Room** plays host to cocktail parties, rehearsal dinners, or receptions. With its beautiful marble flooring & oversized windows with views of the front patio and lawns, three tiered fountain, majestic live oak & VSJ vineyards, this space is ideal for an intimate sit-down event. Guests may relax, mingle and join in celebrating your special day, while indulging in the beauty of what is Villa San-Juliette.

The **Upper Lawn**, accompanied by our **Outdoor Arbor and Patio**, offers an unrivaled romantic, outdoor setting. A blank slate for your creative desire, this venue site features a manicured lawn in front of the Villa. The focal point of this area is the famed Villa San-Juliette oak, which offers shade and additional grandiose to the panoramic scenery and views. A walkway located across the lawn leads to an Arbor and stage complemented by an unforgettable vineyard backdrop.

Overlook the VSJ pond on our secluded **Lower Lawn** and experience the essence of the outdoors. Surrounded by the natural beauty of the vineyards, the Paso Robles rolling hills and spectacular sunsets, this venue sits just below the Upper Lawn and is the perfect spot to host your blissful evening under the stars.





Think romance ... never ending breathtaking views are the reward from our **Upper Veranda** which overlooks the three tiered fountain, Villa San-Juliette oak, front lawns & pond, and of course the vast & impressive views of the Paso Robles rolling hills and never-ending vineyards . Normally reserved for Wine Club Members-Only, this spot is fully shaded with balcony views and is available for capturing pre and post ceremony photos of the bridal party.

Tucked into the rolling hills of Paso Robles wine country, the breathtaking Villa San-Juliette Vineyard & Winery is laden with elegance and spectacular scenery. Our staff believes in making sure every aspect of the winery delivers in spades, whether it be the year-round care we give our fruit or the unequivocal hospitality we offer our visitors. Villa San-Juliette's facility is both intimate and luxurious and the perfect location for your special day.

#### **Venue Rental Fee**

Up To 200 Guests .....	\$8500
<b>Engagement Season Discount .....</b>	<b>- \$1000</b>
Each Additional Guest .....	\$60
Additional Time During Tasting Room Hours .....	\$1000/hour

\*please note weddings taking place before 5:15pm require us to close down our Tasting Room early

#### **Rentals Included**

(13) 72" Round Tables

100 Natural Wood Folding Chairs

(3) 6' and (6) 8' Banquet Tables



VILLA  
SAN-JULIETTE  
VINEYARD & WINERY

*What We Provide*

Site Event Manager to Assist with Venue Questions and Organization  
Tasting Room Staff to Serve Wine and Beer  
Maintenance Staff Member on Site  
2 Bedroom Bridal Suite to get ready in  
One hour Rehearsal the night before the Wedding

Guest Access to the Following Areas for Ceremony, Reception, and Cocktail Hour:

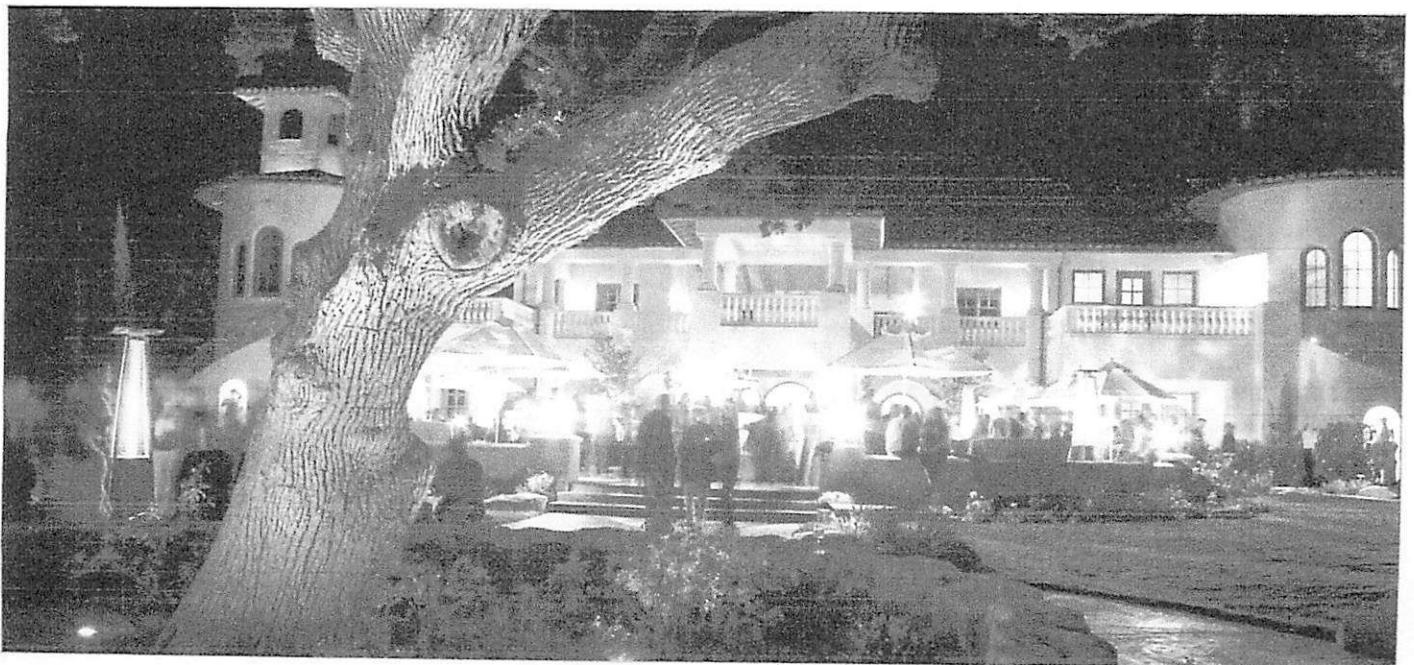
- Tasting Room
- Ceremony Site
- Upper Lawn
- Lower Lawn
- Front Patio
- Vineyard
- Four Restrooms

Photo Access to the Following Areas:

- Upstairs Veranda
- Barrel Room

Vendor Access to the Following Areas:

- Kitchen for Caterer's use
- Garage for food prep/rental storage



VILLA  
**SAN-JULIETTE**  
VINEYARD & WINERY

*Frequently Asked Questions*

**Is there an area for the bride to get ready on-site?**

**Yes, we have a 2-bedroom house on premise to accommodate the bride, bridesmaids, and family getting ready. We also have an area for the groom and groomsmen to get changed on-site.**

**Do you have overnight accommodations for us or our guests?**

**No, but there are a couple of rental homes very close. See vendors list for details.**

**What time is the facility available for my wedding?**

**Your ceremony can start as early as 5:15pm and the noise ordinance allows the event to last until 10pm.**

**May I extend my time to have a longer wedding?**

**Yes. We allow clients to buy out the tasting room at \$1000 an hour. This way you can start your event at whatever time you would like, but the 10pm timeframe is unable to be adjusted.**

**How many people does the space "comfortably" accommodate?**

**The front lawn area can accommodate 350, the front patio around the fountain can comfortably seat 50, and the lower lawn can accommodate up to 500 guests.**

**When can event set-up start?**

**The front lawn areas and front patio can be set up by your caterer starting at 2:30pm. The items going in the tasting room cannot be set out until 5pm.**

**Do you provide rentals?**

**We have many tables and chairs included and we offer our wine glasses with a small breakage deposit of \$150. We rent heaters for \$50 each.**

**Do you provide glassware, dishes, silverware, and linens?**

**We do not provide dishes or silverware, but we do offer our wine glasses for use with a small breakage deposit.**

**Do you require customers to use a specific list of vendors?**

**No, however, vendors must be licensed and insured. Proof of insurance is required. We will provide you with our preferred vendors list if you need help selecting vendors.**

**Do you have cooking facilities?**

**The facility has a full catering kitchen available for use by a San Luis Obispo County licensed and insured caterer. The kitchen is equipped with two convection ovens, stove top, a commercial size refrigerator, a large freezer, a three-compartment sink, commercial dishwasher, and several feet of counter space.**

**Do you provide your own catering?**

**No on-site service is available. Outside caterers are welcome; they must be licensed and insured. All documentation will need to be provided to VSJ staff prior to the event date.**

**What restrictions (if any) are there on decorations?**

**All fire code regulations must be followed. We only allow flameless candles and no sparklers may be used. Nothing can be attached to facility walls or ceiling nor any framed photos or displays removed.**

**Does your venue often accommodate more than one wedding at a time?**

**No. We allow only one wedding or event per weekend at our facility. Our staff makes a conscious effort to book events so that they do not interfere with one another.**

**Do you offer security, if required?**

**No, but security is required for all events serving alcohol. We have companies that offer this service listed on our preferred vendors list.**

**Do you require additional portable restrooms for private events?**

**We recommend renting restrooms for weddings and events over 200 guests, but we only require restroom rentals if the guest count is over 250 guests.**

**Can we or our guests swim in the pool or fountain?**

**No, this is dangerous and we do not allow anyone in the pool or the fountain.**

**Is there handicap access and parking?**

**Yes, each facility complies with current ADA requirements. Several handicap accessible spots are located near the front entrance.**

**Do you offer valet parking?**

**No, but you can arrange for this service through a local transportation company.**

**Do you provide ice?**

**No. The caterer will need to provide all ice needed for the event. There are also companies locally that deliver ice.**

**Is beer allowed on premise?**

**Yes, but you have to order beer through VSJ and we only serve it by the bottle, not in kegs.**

**Can we serve hard alcohol or mixed drinks for our wedding?**

**No, we are limited by our liquor licensing to wine and beer only.**

**Can we bring in outside champagne?**

**Yes, you may choose whatever sparkling wine or champagne to purchase for your wedding.**



November 12, 2008

Villa San Michelle LLC  
7800 Beverly Blvd, Suite 251  
Los Angeles, CA 90036

**NOTICE OF FINAL COUNTY ACTION**

HEARING DATE: November 7, 2008

SUBJECT: VILLA SAN JULIETTE—County File Number: DRC2007-00076  
Document No. 2008-127

LOCATED WITHIN COASTAL ZONE: NO

The Planning Department Hearing Officer approved the above application for a lot line adjustment on the date shown. A copy of the findings and conditions are enclosed. The conditions of approval must be completed as set forth in this document. **In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.**

An approved or conditionally approved lot line adjustment shall expire unless completed and finalized within two years after its approval or conditional approval. The expiration of an approved or conditionally approved lot line adjustment shall terminate all proceedings and no certificate of compliance recognizing the lot lines described in said lot line adjustment shall be recorded without first processing a new lot line adjustment application. Upon application by the applicant, filed prior to the expiration of the approved or conditionally approved lot line adjustment, the time at which the lot line adjustment expires may be extended by the Planning Department Hearing Officer for a period or periods not exceeding a total of one year (Section 21.02.030(f)).

Pursuant to County Real Property Division Ordinance Section 21.04.020, you have the right to appeal this decision to the Board of Supervisors up to 14 calendar days after the date of the action, in writing, to the Department of Planning and Building. The appeal fee is \$560.00 and must accompany your appeal form.

If you have any questions regarding this matter, please contact me at (805) 788-2947.

Sincerely,

PAULA WOOLEY, SECRETARY PRO TEM  
COUNTY PLANNING DEPARTMENT HEARINGS

cc: Public Works

## EXHIBIT A - FINDINGS

### Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on October 2, 2008 for this project. Mitigation measures are proposed to address aesthetics, air quality, wastewater, biological and agriculture and are included as conditions of approval.

### Minor Use Permit

- B. The proposed project is a wine production facility to process on-site grapes and tasting room which is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies including the agricultural and open space policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the winery and tasting room does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the winery and tasting room will not conflict with, the surrounding lands and uses.
- F. The proposed winery and tasting room will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project because the project is located on Cross Canyon Road, (a collector), a road constructed to handle any additional traffic associated with this project.

**VILLA SAN JULIETTE MINOR USE PERMIT  
EXHIBIT B - CONDITIONS OF APPROVAL**

*Approved Development*

1. A wine processing facility with a tasting room, 7 on-site parking spaces, above ground storage tanks, standard leach fields, landscaping, grading, and related site improvements including:
  - a. The conversion of two agricultural accessory buildings of 2,933 and 2,939 square feet each into a wine processing building and a wine processing/storage building, and conversion of 934 square feet within an existing 11,246-square foot residence into a tasting room;
  - b. 6 special events per year with up to 80 people per event;
  - c. Industry wide events allowed by land use ordinance;
  - d. Future proposed signage shall comply with applicable sections of the sign ordinance;
  - e. Wine production up to a maximum of 25,000 cases annually.

*Conditions to be completed at the time of application for construction permits or prior to issuance of construction permits*

2. **At the time of application for construction permits for each phase**, the applicant shall submit a condition compliance package that details each condition of approval for this land use permit and verifies and documents how each condition of approval has been met.
3. All development shall be consistent with the approved site plan, floor plan, and architectural elevations.
4. **Prior to issuance of construction permits**, the applicant shall submit revised plans showing the following:
  - a. Event parking shall be located along the shoulders of internal access roads.
  - b. Permanent paved parking for the tasting room shall not exceed five spaces.
  - c. Tasting room and event parking areas shall be located a minimum of 200 feet from the property line.

**Grading**

5. **At the time of application for construction permits for all phase**, the applicant shall submit grading, drainage plans and erosion control plans to the Department of Planning and Building for review and approval.

*Exterior Lighting*

6. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the



lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

#### Fire Safety

7. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CAL FIRE for this proposed project and dated September 17, 2008.

#### Air Quality

8. **Prior to issuance of construction permits**, all required PM<sub>10</sub> measures shall be shown on applicable grading or construction plans. In addition, the developer shall designate personnel to insure compliance and monitor the effectiveness of the required dust control measures (as conditions dictate, monitor duties may be necessary on weekends and holidays to insure compliance); the name and telephone number of the designated monitor(s) shall be provided to the APCD prior to permit issuance). Prior to commencement of construction activities, the applicant shall notify the APCD, by letter, that the above air quality mitigation measures have been applied.
  - a. Reduce the amount of the disturbed area where possible;
  - b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;
  - c. All dirt stock-pile areas should be sprayed daily as needed;
  - d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
9. **Prior to issuance of construction permits**, the applicant shall provide evidence they have contacted APCD on any proposed portable equipment requiring APCD or CARB registration, such as: Portable generators and equipment with engines that are 50 horsepower or greater; chemical product processing and/or manufacturing; the use of a standby generator; boilers; IC engines, etc. Should any of these types of equipment be used during construction activities California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit may be required.
10. **Upon application for construction permit**, subject to Title 24 requirements, the applicant shall submit plans demonstrating that the building energy efficiency rating shall be increased by 10% above what is required by Title 24 requirements. This can be accomplished in a number of ways, including but not limited to:
  - a. Increase attic, wall, or floor insulation;
  - b. Install high efficiency windows;
  - c. Use efficient interior lighting and energy star roofs and appliances;
  - d. Plant native shade tree planting along southern exposures of buildings to reduce summer cooling needs;
  - e. Plant native, drought resistant landscaping;
  - f. Use locally or nearby produced building materials;
  - g. Use renewable or reclaimed building materials; and,
  - h. Install outdoor electrical outlets to encourage the use of electric appliances and tools.

11. As of February 25, 2000, the APCD prohibits developmental burning of vegetative material within San Luis Obispo County. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application. For any questions regarding these requirements, Karen Brooks of APCD's Enforcement Division may be contacted (805/781-5912).
12. Upon application for construction permits, the applicant shall submit plans showing the use of best available technology for odor control.
13. The applicant shall contact the APCD and comply with the requirements listed in the National Emission Standard for Hazardous Air Pollutants (NESHAP). These requirements include, but are not limited to: 1) notification requirements to the APCD, 2) asbestos survey conducted by a Certified Asbestos Inspector, and 3) applicable removal and disposal requirements of identified asbestos containing material (ASM).

#### **Wastewater**

14. **Prior to issuance of construction permits**, the applicant shall submit documentation issued by the Regional Water Quality Control Board for land application of treated process winery wastewater, including all required permits, authorizations, and/or waivers.

#### **Kit Fox**

15. **(BR-1) Prior to issuance of grading and/or construction permits**, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (see contact information below) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:
  - a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 1.2 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) (see contact information below) and the County.

This mitigation alternative (a.) requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.
  - b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts

of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy" (see contact information below), would total \$3,000. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification identifying your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase 1.2 credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total \$3,000. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

16. **(BR-2) Prior to issuance of grading and/or construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Division of Environmental and Resource Management. The retained biologist shall perform the following monitoring activities:

- a. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, diking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.
- c. **Prior to or during project activities**, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a



Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determine it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must consult with the U.S. Fish and Wildlife Service and the Department (see contact information below). The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

In addition, the qualified biologist shall implement the following measures:

1. **Within 30 days prior to initiation of site disturbance and/or construction**, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
    - a) Potential kit fox den: 50 feet
    - b) Known or active kit fox den: 100 feet
    - c) Kit fox pupping den: 150 feet
  2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
  3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.
17. **(BR-3) Prior to issuance of grading and/or construction permits**, the applicant shall clearly delineate as a note on the project plans, that: *"Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox."* Speed limit signs shall be installed on the project site **within 30 days prior to initiation of site disturbance and/or construction**.

In addition, **prior to permit issuance and initiation of any ground disturbing activities**, conditions BR-3 through BR-11 of the Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.

18. **(BR-4) During the site disturbance and/or construction phase**, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.
19. **(BR-5) Prior to issuance of grading and/or construction permit** and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s)

prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

20. **(BR-6) During the site-disturbance and/or construction phase**, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.
21. **(BR-7) During the site-disturbance and/or construction phase**, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.
22. **(BR-8) During the site-disturbance and/or construction phase**, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
23. **(BR-9) Prior to, during and after the site-disturbance and/or construction phase**, use of pesticides or herbicides shall be in compliance with all local, state and federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
24. **(BR-10) During the site-disturbance and/or construction phase**, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and the Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the Department for care, analysis, or disposition.

#### **Drainage**

25. **Upon application for construction permits**, the "Project Limits" shall be clearly delineated on all construction plans. Prior to any construction work beginning, sturdy high-visibility fencing shall be installed at the "Project Limits" and no closer than 100 feet from identified ephemeral drainages. No construction work (including storage of materials) shall occur outside of the "Project Limits". Any required fencing shall remain in place during the entire

construction period and checked and repaired as needed by resident engineer. Prior to final inspection or occupancy, whichever occurs first, the applicant shall provide verification to the satisfaction of the county that no disturbance occurred outside of the approved "Project Limits" line.

#### **Water**

26. **At the time of application for construction permits**, the applicant shall submit evidence that there is adequate water to serve the proposal, on the site.

#### **Wastewater**

27. Liquid waste generated by the winery operations must be discharged to a waste water system designed by a civil engineer with expertise in the design of winery wastewater systems and approved by the County Building Official or Regional Water Quality Control Board. Such system shall not create offensive odors or materially impair the quality of groundwater for domestic or agricultural use. Prior to discharge of winery wastewater, the applicant shall obtain approval/permits from the Regional Water Quality Control Board. In no case shall winery wastewater be discharged into a stream or other surface water.

28. Solid vegetable waste from the winery (pomace) shall be removed from the site to an approved composting/green waste facility or composted on the site and used as a soil amendment. In no case shall pomace be treated, stored, or disposed of in a manner that could result in runoff into any surface stream.

#### **Fees**

29. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities and road fees.

*Conditions to be completed prior to occupancy or final building inspection /establishment of the use*

#### **Kit Fox**

30. **(BR-11) Prior to final inspection, or occupancy, whichever comes first**, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

- a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".
- b. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.

Upon fence installation, the applicant shall notify the County to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

#### **Fire Safety**

31. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from Cal Fire of all required fire/life safety measures.



### **Landscaping**

32. **Prior to occupancy or final inspection, whichever occurs first**, the applicant shall implement the approved landscaping plan prepared by Lawrence Headley and Associates or equivalent, prepared by a licensed landscape architect, in order to provide full screening of the winery facility, water tanks, storage areas, and parking areas. In conjunction with the implementation of the proposed landscaping plan or compatible landscape plan approved by the County, the applicant shall submit a letter, prepared by a qualified individual (e.g. arborist, landscape architect/contractor, nurseryman) to the Department of Planning and Building stating that the planting has been completed.
33. **Prior to occupancy of any structure**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

### **On-going conditions of approval (valid for the life of the project)**

#### *Noise*

34. Any special event with amplified music shall only be allowed from 10 a.m. to 5 p.m. No outside amplified sound shall occur before 10 a.m. or after 5 p.m.

### **Outdoor Storage**

35. Long term outdoor winery storage areas shall be screened by solid fencing or landscaping and shall not be higher than the associated solid fence screening or landscaping, unless the storage area is not visible from any public road or adjacent properties.
36. Any water tanks associated with the project shall be a neutral, non contrasting color, and landscape screening shall be provided so that the water tanks are not visible from any public road.

### **Landscaping**

37. To guarantee the success of the landscaping, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new vegetation until successfully established, on an annual basis, for no less than three years. The first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the newly planted vegetation is successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report and approved by the Environmental Coordinator.

### **Miscellaneous**

38. During operation of the proposed facility, visitor use areas shall be limited to the proposed tasting room and veranda area.

Time Limits

39. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
40. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

December 11, 2007

William & Teresa Hinrichs  
3439 Ranchita Canyon Rd  
San Miguel, CA 93451

**NOTICE OF FINAL COUNTY ACTION**

HEARING DATE: **December 7, 2007**

SUBJECT: **HINRICHS** – County File Number: **DRC2006-00156**  
DOCUMENT NO. 2007-172

LOCATED WITHIN COASTAL ZONE: NO

The above-referenced application was approved by the Hearing Officer, subject to the approved Findings and Conditions, which are attached for your records.

If the use authorized by this Permit approval has not been established or if substantial work on the property towards the establishment of the use is not in progress after a period of twenty-four (24) months from the date of this approval or such other time period as may be designated through conditions of approval of this Permit, this approval shall expire and become void unless an extension of time has been granted pursuant to the provisions of Section 22.64.070 of the Land Use Ordinance.

If the use authorized by this Permit approval, once established, is or has been unused, abandoned, discontinued, or has ceased for a period of six (6) months or conditions have not been complied with, such Permit approval shall become void.

Pursuant to County Land Use Ordinance Section 22.70.050, you have the right to appeal this decision to the Board of Supervisors up to 14 calendar days after the date of the action, in writing, to the Department of Planning and Building. The appeal fee is \$625.00 and must accompany your appeal form. If you have any questions regarding this matter, please contact me at (805) 788-2947.

Sincerely,

PAULA WOOLEY, SECRETARY PRO TEM  
PLANNING DEPARTMENT HEARINGS



## EXHIBIT A - FINDINGS

### *CEQA Exemption*

- A. The project qualifies for a General Rule Exemption pursuant to CEQA Guidelines Section 15061 (b)(3) because the project involves the conversion of an existing agricultural building into a agricultural processing facility and it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment.

### *Minor Use Permit*

- B. The proposed project is a winery to process which is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies including the agricultural and open space policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the winery does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the winery is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed winery will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project because the project is located on Cross Canyon Road, a road constructed to handle any additional traffic associated with this project.

**DRC2006-00156 HINRICHS**  
**EXHIBIT B - CONDITIONS OF APPROVAL**

**Approved Development:**

1. To re-establish a winery in an existing 3,000 square foot structure with 900 square feet dedicated to a tasting room. The project will result in no site disturbance of a 40 acre parcel.
2. The project approval authorizes tasting Friday through Monday.
3. Future proposed signage shall comply with applicable sections of the sign ordinance.
4. The project approval does not authorize special events other than industry-wide events and unadvertised events for no more than 50 people.

**Conditions to be completed at the time of application for construction permits or prior to issuance of construction permits**

5. All development shall be consistent with the approved site plan, floor plan, and architectural elevations.
6. The applicant shall obtain the following permits in addition to any and all other permits required by ordinance or code. Plans shall be prepared or certified by the licensed architect or engineer of record.
  - a. A building permit if required by Building Division for the use of an existing agricultural building that has been previously used as a wine production facility.
7. **Prior to issuance of a construction permit or the re-establishment of the use,** the applicant shall pay all applicable school and public facilities fees.

**Water**

8. **At the time of application for construction permits or the re-establishment of the use,** the applicant shall submit evidence that there is adequate water to serve the proposal, on the site. Provide the well completion report showing approved construction of the well, a pump test showing four hours of consistent production with drawdown and recovery and full water quality to include general mineral, general physical and the inorganics.

**Fire Safety**

9. **At the time of application for construction permits,** all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the Cal Fire/County Fire Department for this proposed project. (A copy is attached)

**Health Department- See what referral says** ☐

10. Prior to issuance of a construction permit or the re-establishment of the use, the applicant shall obtain the appropriate Health Department permits. The Health Department will require the following information:
- a. Detailed plans for the tasting room and any other food areas.
  - b. Verify water supply and wastewater disposal methods are adequate for this use.
  - c. Information on existing septic systems to assure development can be handled by existing systems.
  - d. A detailed plan for pomace and solid waste disposal.
  - e. A Hazardous Materials Questionnaire shall be completed for the project and reviewed by the Environmental Health Department

#### **Wastewater**

11. Liquid waste generated by the winery operations must be discharged to a waste water system designed by a civil engineer with expertise in the design of winery wastewater systems and approved by the County Building Official or Regional Water Quality Control Board. Such system shall not create offensive odors or materially impair the quality of groundwater for domestic or agricultural use. Prior to discharge of winery wastewater, the applicant shall obtain approval/permits from the Regional Water Quality Control Board. In no case shall winery wastewater be discharged into a stream or other surface water.
12. Waste Discharge permit or exemption from a permit from the Regional Water Quality Control Board. A copy of the permit or exemption from a permit shall be submitted to the County Planning and Building Department and Environmental Health Department.
13. Solid vegetable waste from the winery (pomace), shall be removed from the site to an approved composting/green waste facility or composted on the site and used as a soil amendment. In no case shall pomace be treated, stored, or disposed of in a manner that could result in runoff into any surface stream.

#### **Exterior Lighting**

14. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

#### **Conditions to be completed prior to occupancy or final building inspection /establishment of the use**

##### **Fire Safety**

15. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from Cal Fire of all required fire/life safety measures.



16. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

**On-going conditions of approval (valid for the life of the project)**

**Outdoor Storage**

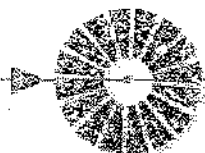
17. Any water tanks associated with the project shall be a neutral, non contrasting color, and landscape screening shall be provided so that the water tanks are not visible from any public road.

**Time Limits**

18. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
19. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

**Access**

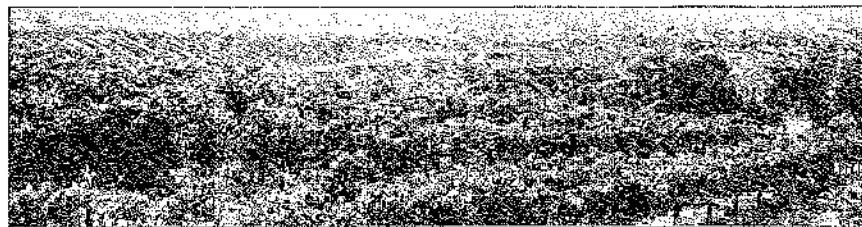
20. **Prior to issuance of construction permits or the re-establishment of the use**, the applicant shall submit proof of an access easement from the site to Cross Canyon Road.
21. **Prior to issuance of construction permits or the re-establishment of the use**, the applicant shall submit proof of a recorded "offer of dedication" for the access easement from the site to Cross Canyon Road.



**Ranchita Canyon**  
VINEYARD

*Contact Us*

HOME  
WINERY AND VINEYARD  
WINES  
WINE CLUB  
BUY WINE  
NEWS AND EVENTS  
CONTACT US



**Bill Hinrichs**  
bill@ranchitacanyonvineyard.com

**Teresa Hinrichs**  
teresa@ranchitacanyonvineyard.com

**Ranchita Canyon Vineyard**  
3439 Ranchita Canyon Rd.  
San Miguel  
California  
93451

**Tasting Room Hours =**

**Thursday through Monday -- 11AM to 5PM -- (Or by Appointment)**

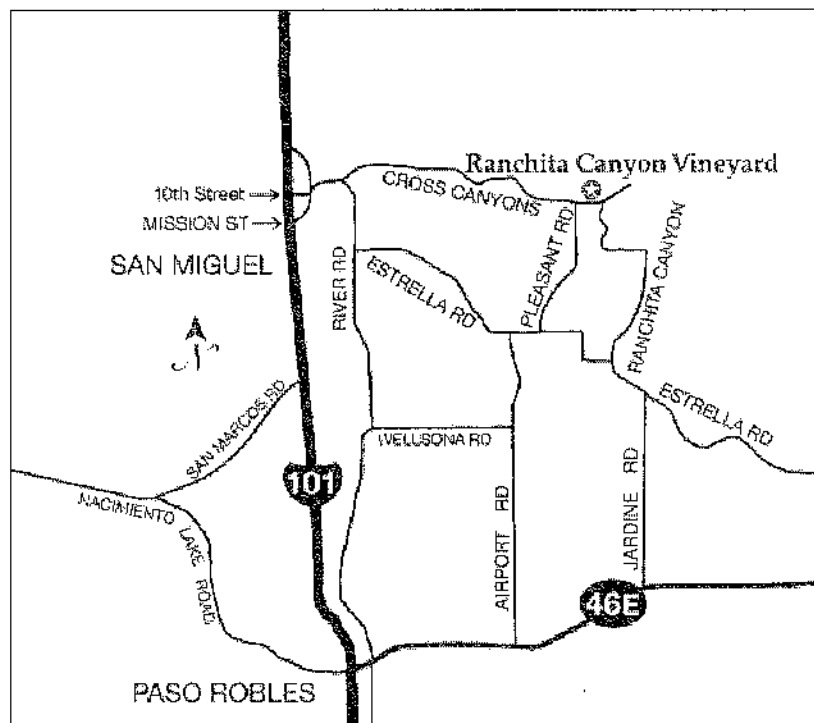
P: 805.467.9448

F: 805.467.2928

**Directions:**

From 46E go North on Airport Rd., turn right on Estrella Rd., turn left on Pleasant Rd., turn right on Cross Canyons, 2nd driveway on left.

From Highway 101, take 10th St. Exit in San Miguel, go East onto 10th St., left onto Mission St., right on River Rd., left on Cross Canyons. Go approximately 4.5 miles, turn left into vineyard/winery entrance.



facebook

SIGN UP FOR OUR MAILING LIST

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**RECORDING REQUESTED BY:**

DOUGLAS HILTON, A Law Corporation **DOC No: 1996-035926**

**Rec No: 00004688**

**WHEN RECORDED RETURN TO:**

Douglas Hilton  
A Law Corporation  
1457 Marsh Street, Suite 200  
San Luis Obispo, CA 93401

Official Records  
San Luis Obispo Co.  
Julie L. Rodewald  
Recorder  
Jul 18, 1996  
Time: 15:24

RF 34.00

[ 10 ]

TOTAL 34.00

**DOCUMENTARY TRANSFER TAX \$-0-**

- ☒ Computed on the consideration or value of the property conveyed, OR  
☐ Computed on the consideration or value less liens or encumbrances  
remaining at the time of sale

FILED	FEE PAID	EXEMPT	CITY OF STATE
		h	

*Douglas Hilton*

Signature of Declarant or Agent determining tax-Firm Name

**GRANT OF NONEXCLUSIVE EASEMENT FOR ACCESS**

1. **Parties.** The parties to this Grant of Nonexclusive Easement for Access are:

(a) Gerald A. Smith and Connie L. Smith as trustees of the Smith Family Trust dated March 2, 1994, hereafter collectively referred to as the "Smith Trust;"

(b) Robert D. Ayres and Ellen H. Ayres, husband and wife, hereafter collectively referred to as "Ayres;"

(c) Fred D. Massimini, individually;

(d) Fred D. Massimini and Josephine Massimini as cotrustees under the Declaration of Trust dated September 13, 1983, hereafter collectively referred to as the "Massimini Trust;"

(e) John Daniel Massimini;

(f) Cory Christopher Massimini;

(g) Michael C. Brown and Anita Massimini-Brown as trustees of the Brown Trust under Declaration of Trust dated November 1, 1989, hereafter collectively referred to as the "Brown Trust;" and

(h) Thomas A. Massimini.



Fred D. Massimini, individually, the Massimini Trust, John Daniel Massimini, Cory Christopher Massimini, the "Brown Trust," and Thomas A. Massimini are sometimes collectively referred to herein as the "Massimini family." Ayres and the Massimini family are sometimes collectively referred to herein as "Grantees."

2. Smith Trust Property. The Smith Trust is the owner of a parcel of real property, hereafter referred to as the "Smith Trust property," described as follows:

Government Lots 3 and 4 and the East half of the Southwest quarter of Section 18 of Township 25 South, Range 13 East, Mount Diablo Base and Meridian, in the County of San Luis Obispo, State of California according to the official plat of said land approved by Surveyor General on October 30, 1869.

3. Ayres Property. Ayres is the owner of a parcel of real property, hereafter referred to as the "Ayres property," described as follows:

Lots 1 and 2 and the East 1/2 of the Northwest 1/4 of Section 18, in Township 25 South, Range 13 East, Mount Diablo Base and Meridian, according to the official plat of the survey of said lands approved by the Surveyor General and on file in the Bureau of Land Management.  
Assessor's parcel numbers 019-051-027, 019-051-029, and 019-051-030

4. Massimini Family Property. The Massimini family is the owner of a parcel of real property, hereafter referred to as the "Massimini family property," described as follows:

Lots 3 and 4 and the East 1/2 of the Southwest 1/4 of Section 7 in Township 25 South, Range 13 East, Mount Diablo Base and Meridian, County of San Luis Obispo, State of California, according to the official plat of the survey of said lands approved by the Surveyor General and on file in the Bureau of Land Management.  
Assessor's parcel numbers 019-011-020, 019-011-021, 019-011-022 and 019-011-023

5. Massimini Trust Property. The Massimini Trust is the owner of a parcel of real property, hereafter referred to as the "Massimini Trust property," described as follows:

The South 1/2 of Lot 1 and all of Lot 2 of Section 7 in Township 25 South, Range 13 East, Mount Diablo Base and Meridian, according to the official plat of the survey of said lands approved by the Surveyor General and on file in the Bureau of Land Management.  
Assessor's parcel number 019-011-009

6. Grant of Nonexclusive Easement. The Smith Trust hereby grants to Grantees a nonexclusive easement across the Smith Trust property, as the servient tenement, and appurtenant to the Ayres property, Massimini family property and Massimini Trust property, as the dominant tenements. The easement is granted subject to the terms and conditions set forth in this grant.

7. Description of Easement. The nonexclusive easement granted herein is for access to the Ayres property, Massimini family property and Massimini Trust property along a strip of land 16 feet in width which extends along the entire length of the east boundary of the Smith Trust property; i.e., the easterly boundary of the easement coincides with the easterly boundary of the Smith Trust property. Grantees shall have the right to construct, maintain, repair and replace a road within the easement not exceeding 16 feet in width. The easement shall not be used for parking purposes, and no obstructions shall be left within the easement.

8. Limitation on Use. The Massimini family property consists of four assessor's parcels, the Massimini Trust property consists of one assessor's parcel and the Ayres property consists of three assessor's parcels. The easement granted herein shall not be appurtenant to, nor shall it be used by, more than four legal parcels within the Massimini family property, one legal parcel within the Massimini Trust property, or three legal parcels within the Ayres property.

9. Road Maintenance. The cost of maintaining and repairing the road within the easement shall be allocated one-half to the Ayres property and one-half to the Massimini family property and Massimini Trust property, for so long as the Smith Trust property makes only occasional use of the easement. If use of the nonexclusive easement by the Smith Trust property substantially increases, the Smith Trust property shall pay a reasonable share of the cost of repairing and maintaining the road in accordance with California Civil Code section 845. Any damage to

the road within the easement caused by the owners of the Smith Trust property, or its agents and employees, shall be repaired by the owners of the Smith Trust property at its expense.

10. General Liability Insurance. The owners of each dominant tenement agree to procure and maintain comprehensive general liability insurance in an amount not less than \$300,000 insuring against claims for personal injuries and property damage occurring within the nonexclusive easement.

11. Hold Harmless. The owners of the Ayres property, Massimini family property, and Massimini Trust property agree to defend the owners of the Smith Trust property, and hold them harmless, against all claims, liabilities, and causes of action arising from acts and omissions of the owners of the Ayres property, Massimini family property, and the Massimini Trust property, or their guests and invitees, which occur within the easement area.

12. Attorney's Fees. If any action or proceeding is brought to enforce or interpret the provisions of this Grant of Nonexclusive Easement for Access, the prevailing party shall be entitled to recover reasonable attorney's fees.

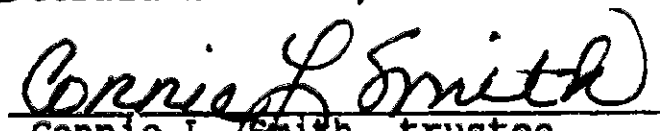
13. Binding Effect. This Grant of Nonexclusive Easement for Access shall be binding upon and shall inure to the benefit of the successors and assigns of the parties.

**GRANTORS:**

Dated: 4.11.96

THE SMITH FAMILY TRUST DATED  
MARCH 2, 1994

By:   
Gerald A. Smith, trustee

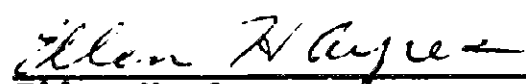
By:   
Connie L. Smith, trustee

**GRANTEES:**

Dated: July 15, 1996

  
Robert D. Ayres

Dated: July 15, 1996

  
Ellen H. Ayres



Dated: 7-10-96

Fred D. Massimini  
Fred D. Massimini

Dated: 7-10-96

DECLARATION OF TRUST DATED  
SEPTEMBER 13, 1983

Fred D. Massimini  
Fred D. Massimini, cotrustee

By: Josephine Massimini  
Josephine Massimini,  
cotrustee

Dated: 7-3-96

John Daniel Massimini  
John Daniel Massimini

Dated: 7-18-96

Cory Christopher Massimini  
Cory Christopher Massimini

Dated: 7-10-96

BROWN TRUST UNDER DECLARATION  
OF TRUST DATED NOVEMBER 1, 1989

By: Michael C. Brown  
Michael C. Brown, trustee

Dated: 7-10-96

By: Anita Massimini-Brown  
Anita Massimini-Brown,  
trustee

Dated: 7/10/96

Thomas A. Massimini  
Thomas A. Massimini

AYRES\EASEMENT.2\3-28-96

GRANT OF NONEXCLUSIVE EASEMENT FOR ACCESS  
Grantors: Smith Trust  
Grantees: Ayres/Massimini - Page 5

STATE OF CALIFORNIA

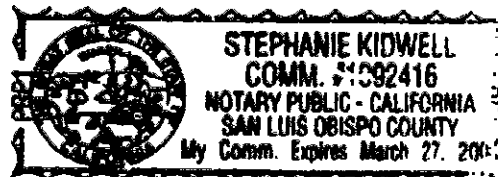
COUNTY OF San Luis Obispo

SS.

On April 11, 1996, before me, Stephanie Kidwell,  
a Notary Public in and for said County and State, personally  
appeared Connie L. Smith,  
~~personally known to me~~ (or proved to me on the basis of  
satisfactory evidence) to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that  
he/she/they executed the same in his/her/their authorized  
capacity(ies), and that by his/her/their signature(s) on the  
instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Stephanie Kidwell



STATE OF CALIFORNIA

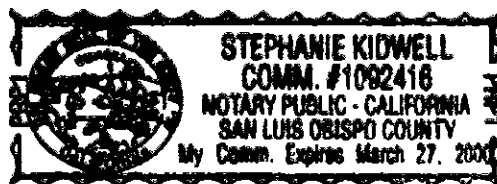
COUNTY OF San Luis Obispo

SS.

On April 11, 1996, before me, Stephanie Kidwell,  
a Notary Public in and for said County and State, personally  
appeared Gerald A. Smith,  
~~personally known to me~~ (or proved to me on the basis of  
satisfactory evidence) to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that  
he/she/they executed the same in his/her/their authorized  
capacity(ies), and that by his/her/their signature(s) on the  
instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Stephanie Kidwell



**GRANT OF NONEXCLUSIVE EASEMENT FOR ACCESS**

GRANTOR: Gerald A. Smith and Connie L. Smith as trustees of the Smith Family Trust dated March 2, 1994  
GRANTEES: Robert D. Ayres and Ellen H. Ayres, Fred D. Massimini, individually, Fred D. Massimini and  
Josephine Massimini as cotrustees under the Declaration of Trust dated September 13, 1983, John Daniel  
Massimini, Cory Christopher Massimini, Michael C. Brown and Anita Massimini-Brown as the trustees of the  
Brown Trust under Declaration of Trust dated November 1, 1989, and Thomas A. Massimini

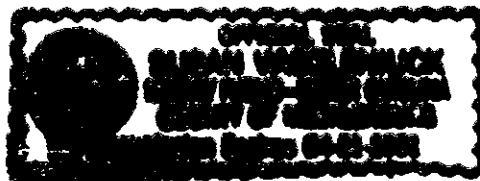
STATE OF North Carolina  
~~CALIFORNIA~~ )  
COUNTY OF Mecklenburg ) ss.

On July 3, 1996, before me, Susan Vaseleniuck,  
a Notary Public in and for said County and State, personally  
appeared John Massimini  
~~personally known to me~~ (or proved to me on the basis of  
satisfactory evidence) to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that  
he/she/they executed the same in his/her/their authorized  
capacity(ies), and that by his/her/their signature(s) on the  
instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Susan Vaseleniuck



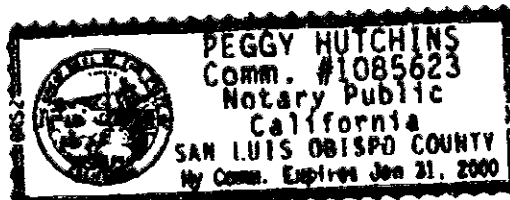
STATE OF CALIFORNIA )  
COUNTY OF SAN LUIS OBISPO ) ss.

On July 15, 1996, before me, PEGGY Hutchins,  
a Notary Public in and for said County and State, personally  
appeared ROBERT D. AYRES and ELLEN H. AYRES  
personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that  
he/she/they executed the same in his/her/their authorized  
capacity(ies), and that by his/her/their signature(s) on the  
instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Peggy Hutchins



**GRANT OF NONEXCLUSIVE EASEMENT FOR ACCESS**

GRANTOR: Gerald A. Smith and Connie L. Smith as trustees of the Smith Family Trust dated March 2, 1994  
GRANTEES: Robert D. Ayres and Ellen H. Ayres, Fred D. Massimini, individually, Fred D. Massimini and Josephine Massimini as cotrustees under the Declaration of Trust dated September 13, 1983, John Daniel Massimini, Cory Christopher Massimini, Michael C. Brown and Anita Massimini-Brown as the trustees of the Brown Trust Under Declaration of Trust dated November 1, 1989, and Thomas A. Massimini



# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

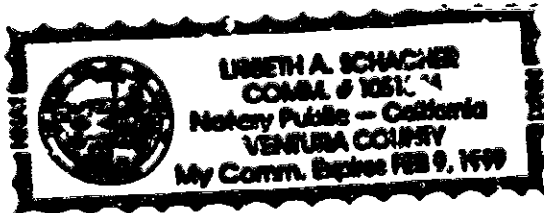
County of Ventura

On July 10, 1996 before me, Lisbeth A. Schacher

personally appeared Michael C. Brown, Trustee

☒ personally known to me OR Anita Massimini-Brown Trustee approved to me on the basis of satisfactory evidence to be the person(s)

whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that he/she/they executed the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal

Lisbeth A. Schacher  
Signature of Notary Public

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: Grant of Tomcat Club Membership to Access

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer(s)

Signer's Name: Michael C. Brown  
Trustee

- ☒ Individual
- ☐ Corporate Officer
- Title(s): \_\_\_\_\_
- ☐ Partner -- ☐ Limited ☐ General
- ☐ Attorney-in-Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Top of thumb here

Signer's Name: Anita Massimini-Brown, Trustee

- ☒ Individual
- ☐ Corporate Officer
- Title(s): \_\_\_\_\_
- ☐ Partner -- ☐ Limited ☐ General
- ☐ Attorney-in-Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: \_\_\_\_\_

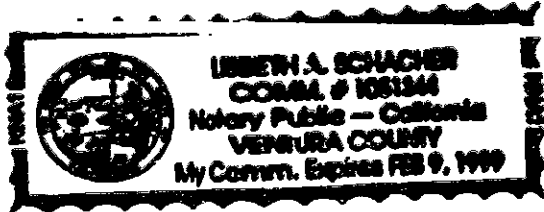
Signer Is Representing: \_\_\_\_\_

Top of thumb here

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California  
County of Ventura  
On July 10, 1996 before me, Lisbeth A. Schacher  
personally appeared Fred D. Massimini and Josephine  
Co-trustees Massimini

☐ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Lisbeth A. Schacher  
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Grant of Nonexclusive Easement for  
Document Date: July 10, 1996 HPSS Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

Capacity(ies) Claimed by Signer(s)

Signer's Name: Fred D. Massimini

- ☒ Individual  
☐ Corporate Officer  
Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

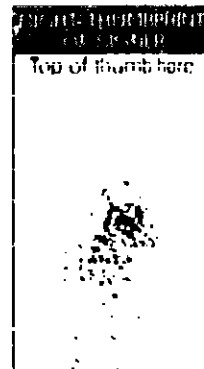
Signer Is Representing: \_\_\_\_\_



Signer's Name: Josephine Massimini

- ☒ Individual  
☐ Corporate Officer  
Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



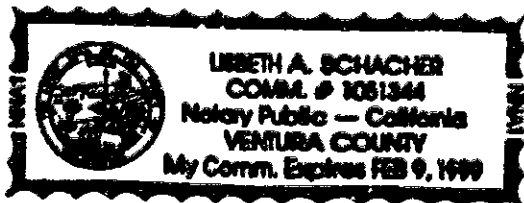
# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Ventura

On July 10, 1996 before me, Lisbeth A. Schacher  
Name and Title of Officer (e.g., "Jane Doe, Notary Public")  
 personally appeared Cory C. Massimini & Thomas A. Massimini  
Name(s) of Signer(s)

☐ personally known to me ~~OR~~ ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal

Lisbeth A. Schacher  
Signature of Notary Public

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: Grant of Nonexclusive License between

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

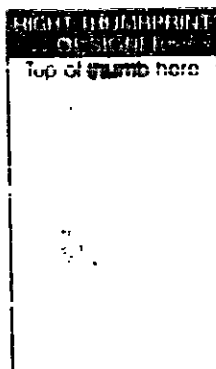
Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer(s)

Signer's Name: Cory C. Massimini

- ☐ Individual
- ☐ Corporate Officer  
Title(s): \_\_\_\_\_
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney-in-Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



Signer's Name: Thomas A. Massimini

- ☐ Individual
- ☐ Corporate Officer  
Title(s): \_\_\_\_\_
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney-in-Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_





MASSIMINI TRUST

MASSIMINI

AYERS

16' wide Nonexclusive Access Easement

SMITH

SEE DETAIL, A

I.S.	DATE
07-189	10

## Villa San Juliette Winery property

WHEN RECORDED MAIL TO:

San Luis Obispo County Department of  
Public Works  
Room 207, County Government Center  
San Luis Obispo, CA 93408

DOC#: **2010007943**



Titles: 1 Pages: **2**

Fees	0.00
Taxes	0.00
Others	0.00
PAID	\$0.00

**IRREVOCABLE & PERPETUAL OFFER TO DEDICATE**

THIS OFFER TO DEDICATE, made the 9th day of December, 2009, by Villa San Juliette Holdings, LLC, a California limited liability company (hereinafter referred to as "Offeror"):

**WHEREAS**, said Offeror desires to make an offer to dedicate, irrevocably, to the public, an easement, for public road purposes, which offer may be accepted at any time by any governmental entity which has the power to establish, construct and maintain roads.

**NOW, THEREFORE**, said Offeror covenants and promises as follows:

1. That said Offeror is the owner of the following interest described below:

The property at 6385 Cross Canyon Road, San Miguel, CA 93451, assessor parcel number 019-051-041, and more particularly described as: the Southwest quarter of Section 18 of Township 25 South, Range 13 East, Mount Diablo Base and Meridian, in the County of San Luis Obispo, State of California, according to the official plat of said land approved by Surveyor General on October 30, 1869.

2. That said Offeror does hereby irrevocably and in perpetuity offer to such governmental entity a dedication of a public right-of-way for road purposes and incidental uses upon the following described property:

The present roadway access that runs along the Easterly portion of the East half of the Southwest quarter of Section 18 of Township 25 South, Range 13 East, Mount Diablo Base and Meridian, in the County of San Luis Obispo, State of California, according to the official plat of said land approved by Surveyor General on October 30, 1869.

3. Until such time as the above offer of dedication is accepted by the applicable governmental entity, the owners of property contiguous to the above-described road parcel shall have the right to continue to use the existing road in accordance with the terms of that certain Grant of Non-Exclusive Easement for Access recorded as Document No. 1996-035926 as

recorded in the Official Records of San Luis Obispo County, and as amended. This offer to dedicate shall not expand, enlarge or modify contiguous property owners' rights to use the Road which is the subject of this offer to dedicate.

4. That said Offeror agrees that said offer of dedication shall be irrevocable and that such a government entity may, at any time in the future, accept said offer of dedication of the public right-of-way.

5. That said Offeror agrees that this irrevocable and perpetual Offer to Dedicate is and shall be binding on his heirs, legatees, successors and assignees.

**IN WITNESS WHEREOF**, this Offer to Dedicate is hereby executed by the said Offeror on the day and year first above written.

OFFEROR:

VILLA SAN JULIETTE HOLDINGS, LLC, a  
California limited liability company

By: [Signature]  
Joseph W. Diehl, Jr., Attorney in Fact for  
Nigel Lythgoe, Manager and Ken  
Warwick, Manager

STATE OF CALIFORNIA           )  
COUNTY OF SAN LUIS OBISPO   )

On December 9, 2009 before me, KAREN S. BOUCHER, Notary Public, personally appeared JOSEPH W. DIEHL, JR., who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]

t:\clients\villa san Juliette\OfferDedicate

